THE

BENGAL LEGISLATIVE COUNCIL

PROCEEDINGS.

(Official Report.)

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Law, Raja Reshee Case. (Bengal National Chamber of Commerce.)

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Mukharji, Babu Satish Chandra [Hooghly *cum* Howrah Rural (Non-Muhammadan.)]
Mukherjee, Babu Nitya Dhon. [Howrah Municipalities (Non-Muhammadan.)]
Mukherji, Professor S. C. (Nominated Non-Official—The Indian Christian Community.)
Mukhopadhaya, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan.)]
Mullick, Babu Nirode Behary. [Bakarganj South (Non-Muhammadan.)]

N

Nakey, Mirza Muhammad Ali. [24-Parganas Municipal South (Muhammadan)]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan)]

P

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Pal, Rai Bahadur Radha Charan. [Calcutta East (Non-Muhammadan).]
Payne, Mr. C. F. (Nominated Official.)
Poddar, Babu Keshoram. (Bengal Marwari Association.)
Pugh, Colonel A. J. [Presidency and Burdwan (European).]

R

Rae, Mr. W. R. [Presidency and Burdwan (European).]
Raheem, Mr. Abdur. (Nominated Non-Official.)
Rahim, the Hon'ble Sir Abdur. (Member, Executive Council.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rauf, Maulvi Shah Abdur. [Rangpur West (Muhammadan).]
Ray, Babu Bhabendra Chandra. [Jessore North (Non-Muhammadan).]
Ray, Babu Surendra Nath. [Deputy-President, 24-Parganas Municipal South (Non-Muhammadan).]

Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, Rai Bahadur Upendra Lal. (Chittagong Landholders.)
Ray Chaudhuri, Babu Brojendra Kishor. (Dacca Landholders.)
Ray Chaudhuri, Mr. Krishna Chandra. (Nominated Non-Official Labouring Classes.)
Ray Choudhury, Raja Manmatha Nath. [Mymensingh West (Non-Muhammadan).]
Robinson, Major General W. H. B. (Nominated Official)
Roy, Babu Jogendra Krishna. [Faridpur South (Non-Muhammadan).]
Roy, Babu Jogendra Nath. [Dacca Rural (Non-Muhammadan).]
Roy, Babu Nalini Nath. [Jessore South (Non-Muhammadan).]
Roy, Maharaja Bahadur Kshaunish Chandra. [Nadia (Non-Muhammadan).]
Roy, Mr. Bijoy Prosad Singh. [Burdwan (Non-Muhammadan).]
Roy, Mr. J. E. (Bengal Chamber of Commerce.)
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Rai Bahadur Lalit Mohan Singh. (Burdwan Landholders.)
Roy, Raja Manilall Singh. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]

S

Salam, Khan Bahadur Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Jogesh Chandra. [Rangpur (Non-Muhammadan).]
Sarkar, Babu Rishindra Nath. [Bankura West (Non-Muhammadan).]
Sinha, Babu Surendra Narayan. [Murshidabad (Non-Muhammadan).]
Stark, Mr. H. A. (Anglo-Indian.)
Stephenson, Mr. H. L. (Nominated Official.)
Suhrawardy, Dr. A. [Dacca West Rural (Muhammadan).]
Suhrawardy, Dr. Hassan. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed. [Burdwan Division South (Muhammadan).]
Swan, Mr. J. A. L. (Nominated Official.)

T

Travers, Mr. W. L. [Rajshahi (European).]

W

Watson-Smyth, Mr. R. M. (Bengal Chamber of Commerce.)
Wheeler, the Hon'ble Sir Henry. (Member, Executive Council.)
Williams, Mr. C. Addams. (Nominated Official.)
Wordsworth, Mr. W. C. (Nominated Official.)

THE BENGAL LEGISLATIVE COUNCIL.
PROCEEDINGS.

(Official Report of the Fifth Session.)

VOLUME V.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 21st November, 1921, at 10 minutes to 3 P.M.

Present:

The Hon'ble the President, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 110 nominated and elected members.

At 3 P.M. the Registrar to the Council announced to the Hon'ble the President that His Excellency the Governor was without.

The Hon'ble the President then left his seat on the *dais* and met His Excellency at the door of the Chamber. His Excellency then entered the Chamber with the Hon'ble the President and, at the request of the Hon'ble the President, took his seat on the presidential Chair, the Hon'ble the President being seated on His Excellency's right.

His Excellency the Governor's Address.

HIS EXCELLENCY THE GOVERNOR OF BENGAL (the Earl of Ronaldshay): MR. PRESIDENT, First let me offer a hearty welcome to all members of the Council and my best wishes for success in the labours that lie before them during the Session which begins to-day.

The functions of a Legislative Body may roughly be divided under three main heads. The first of these is constructive, namely, the making of laws and the provision of funds for the carrying on of the administration. The second is the eliciting and dissemination of information with a view to enlightening the people as a whole as to the acts and intentions of the administration. And, finally, there is the function of criticism both of the policy of Government and of its acts. It is not altogether surprising, perhaps, that during the earlier days of the working of a new constitution it is these last two functions

that should have been most in evidence. A powerful volume of criticism has been brought to bear upon the whole field of administration chiefly by means of the discussion of resolutions on matters of general public interest. Indeed, it would not be too much to say that the Council shows a tendency to regard the discussion of such resolutions as its most important function. During the comparatively short period of its existence, no less than 364 different resolutions have been balloted for and 135 have actually been discussed. A comparison with the corresponding figures in the case of the House of Commons is certainly striking. During the year 1918, when the House of Commons sat on no less than 136 days, the number of resolutions on matters of general public interest, including motions for the adjournment of the House, moved by private members was 34. In the year 1919 the House of Commons sat on 163 days and the number of similar resolutions discussed was 41. The other main means which the Council possesses of criticising and indeed controlling the policy of Government is the voting of supply. I shall have something to say under this head in a few moments. For the present I need only say that the proceedings on the budget at the beginning of the year showed that the Council has been quick to realise the wide extent of the powers which have been conferred upon it in this respect.

So far as the eliciting of information is concerned, I can bear witness to the searching manner in which the Council carries out its functions, for I have myself passed the answers to everyone of the 1,293 questions which it has asked. In a somewhat different connection, useful information is also being acquired at the instance of the Council with a view to its being put to constructive use in the future. I have in mind the Committee which is examining the Tenancy Act with a view to its amendment. The importance of the duties of the Committee require little emphasis from me. They include the advising of Government on matters of such difficulty as the transferability of occupancy rights, the best method of dealing with the *utbandi* system which bulks so largely in the district of Nadia, and the solution of the problems arising out of the traditional system of *abwabs*. Other Committees engaged on tasks of a similar nature are the Medical School Committee and the Committee which is inquiring into the functions of Divisional Commissioners.

It will be seen, therefore, that the Council has been exceedingly active in discharging its functions under two of the three heads referred to. I have every hope that it will devote itself with equal assiduity to the constructive side of its work as soon as the opportunity is given to it. The opportunity will soon occur. My hon'ble colleagues in the new Government which came into existence in January last have been giving their attention to various matters of importance which can only be dealt with by legislation; and my hon'ble colleague the Minister for Local Self-Government is now in a position to lay before you his

proposals for the reconstitution of the body which is charged with the important task of administering the affairs of this city. In the Calcutta Municipal Bill you will be asked to consider proposals for altering the present constitution of the Corporation in accordance with the liberal spirit of the times, for enlarging its powers and enacting charges in many of the provisions of the existing Act affecting the general administration of the city.

But, important though this measure is, I shall not, I think, be challenged when I say that the question overshadowing all others in importance, in its difficulty and in its interest for every member of this Council is that of the financial position of the Province. It cannot be otherwise, for the question is a vital one. Upon its solution depends the existence of the administration. Thus, early in its career, the Council is faced with a fundamental responsibility which it cannot shirk. Government can submit proposals to it for dealing with the financial crisis with which the Province is faced, but the power to accept or reject them is vested, not in Government, but in the Council. The whole question is of such vital importance that I feel it to be my duty to lay the position fully before you.

The examination of the financial changes which were to accompany the introduction of the reformed constitution began early in 1919 and may be regarded as having passed through three stages. There was the stage of preliminary correspondence between the Government of India and the Local Governments. This was followed by the inquiry of the Meston Committee, and finally came the examination of the report of the latter Committee by the Joint Parliamentary Committee and the decision of that body. I may state at once that from the very beginning of this examination of the question the Government of Bengal—both the late Government and the present Government—have found themselves obliged to raise grave objection to the settlement proposed. I do not intend to weary you by referring in detail to the various representations which have been made; but it is desirable that I should explain the main grounds of our objection to the settlement which was proposed and to which effect was eventually given. In the first place, we laid stress upon the fact that the heads of revenue which it was proposed to assign to the Provinces were all heads which owing to the particular circumstances of Bengal, gave very little prospect of any expansion of revenue so far as this Province is concerned. The reason for this is known to everybody, namely, that Land Revenue, which was to be the mainstay of provincial finance under the settlement, is strictly circumscribed in Bengal by the Permanent Settlement. Our next contention was that the normal standard of expenditure laid down for Bengal by the Government of India was far too low. They put it in round figures at Rs. 7,64,00,000; and, in spite of our earnest representations, refused to admit a normal expenditure of more than Rs. 7,91,55,000. This was the figure at which they fixed our standard

of expenditure at an informal conference at Simla in October, 1919. In this connection it is interesting to compare the position accorded to Bengal with that allowed to the sister Presidency of Bombay. The Presidency of Bombay, with a population of less than 20 millions, was allowed a standard expenditure of Rs. 10,98,93,000, compared with the standard expenditure of Rs. 7,91,55,000 allowed to Bengal with its population of over 45 millions. After the Simla Conference at which these preliminary standards of expenditure were fixed, the next stage in the examination was reached, namely, the appointment of the Meston Committee in January, 1920. We submitted to the Committee representations on the same lines as we had done to the Government of India. In one respect we met with some measure of success in that the Committee adopted the suggestion which we made that the Provincial heads of revenue should be increased by the addition of non-judicial stamps which had up to that time been assigned to the Government of India. The advantage of this was, of course, reaped by all the Provinces, and Bengal was still left in a serious position. To add to our difficulties, we were saddled by the Meston Committee with an initial tribute to the Government of India of Rs. 63,00,000, with the prospect of a progressive annual increase in the amount of this subvention for a period of seven years, by which time we were to contribute a greater percentage of the Government of India's deficit than any other Province. I now come to the third stage, namely, the examination of the question by the Joint Select Committee of the two Houses of Parliament. This body accepted the recommendations of the Meston Committee with two modifications of some importance. Firstly, they directed that there should be granted to all Provinces some share in the growth of revenue from taxation on incomes as far as such growth was attributable to an increase in the amount of income assessed; and, in the second place, they decided that in no case should the initial contribution payable to the Government of India by any Province be increased. The Committee also took note of the peculiar financial difficulties of Bengal which they commended to the special consideration of the Government of India.

So much for the negotiations up to the time of the inauguration of the Reformed Constitution. When the time came for the final preparation of the budget for 1921-22, it became clear that all our fears had been only too well founded. We found ourselves faced with a deficit of approximately Rs. 2,12,00,000. I need not trouble the Council with a statement of the means by which the deficit has been met during the current year, since this is a matter which is within the recollection of everyone. But before coming to our proposals for meeting our deficit during the coming year there are two observations I would make in support of my contention that, in spite of the temporary measure of relief which we have received in the shape of the waiving for a period of three years of our contribution of Rs. 63,00,000 to the

Central Government, the financial settlement is still grievously inequitable.

The first observation I would make is with a view to disposing of the fallacious statement which is so often made that on account of the Permanent Settlement Bengal does not pay its proper share towards the cost of the Central Government. Nothing could be further from the truth. As a matter of actual fact, we are bearing a far greater part of the burden than any other Province, as I think I shall be able to show. It is only possible to ascertain the real contribution of the different Provinces towards the cost of the Central Government by taking the gross amount of money raised by taxation in each Province and then ascertaining how much of this amount goes to the Central Government and how much is left to the Province. To ascertain this gross amount one must add to the proceeds of the Provincial heads of revenue those of the Central heads, namely, Customs duties, Income-tax and Salt duty. Taking the figures under the Provincial heads of the current year and adding to them the Imperial figures for last year (the Imperial figures for the current year not being available) we find that the gross amount of money raised in the different Provinces is as follows:—

	Lakhs
Bengal	30,09
Madras	20,58
Bombay	30,59
United Provinces	14,12
Punjab	12,02
Bihar and Orissa	5,16
Central Provinces	5,67
Assam	2,44

Now let us see how much of these totals goes to the Central Government in the case of each Province. The figures, taking into account the remission of the 63 lakhs in the case of Bengal, are as follows:-

Bengal, 20,51 lakhs, leaving for expenditure within the Province, 9,55 lakhs.

Madras, 7,73 lakhs, leaving for expenditure within the Province, 12,85 lakhs.

Bombay, 16,69 lakhs, leaving for expenditure within the Province, 13,90 lakhs.

United Provinces, 3,23 lakhs, leaving for expenditure within the Province, 10,89 lakhs.

Punjab, 2,47 lakhs, leaving for expenditure within the Province, 9,55 lakhs.

Bihar and Orissa, ·34 lakhs, leaving for expenditure within the Province, 4,82 lakhs.

Central Provinces, ·71 lakhs, leaving for expenditure within the Province, 4,96 lakhs.

Assam, ·27 lakhs, leaving for expenditure within the Province, 2,17 lakhs.

These figures show conclusively that the real contribution of Bengal to the Central Government is nearly 4 crores more than that of Bombay; nearly 13 crores more than that of Madras which comes next in order of the magnitude of its contribution, and from 17 crores to over 20 crores more than any of the other Provinces. It will, of course, be said that not all the money raised in Bengal by means of Customs duties and Income-tax is paid by the people of Bengal. I admit that this is so and that some allowance must be made on this account. But it was proved before the Meston Committee that over 90 per cent. of the Income-tax collected in Calcutta is paid solely by residents in Bengal; while so far as Customs duties are concerned it cannot be disputed that the jute export duty, amounting to over 3 crores, is collected almost entirely from Bengal; and no allowance made on these grounds can alter the fact that under the existing settlement Bengal is permitted to retain for expenditure within its own boundaries a far smaller proportion of the money raised within its boundaries than any other Province. That then is the first observation which I have to make. The second is that there has been transferred to us by the Government of India responsibility for two costly institutions without the financial provision which the responsibility entails. I refer to the Calcutta and Dacca Universities. The Dacca University was a gift promised by the Government of India to Eastern Bengal. It was created by an Act of the Imperial Legislative Council; the Vice-Chancellor was appointed by the Government of India and the Government of India tacitly admitted their responsibility by making an annual grant, until the financial settlement came into effect. Yet no allowance was made in the standard of normal expenditure of the Province for a single rupee of recurring expenditure in connection with the Institution. The case of the Calcutta University is similar. While the University was still under the Government of India they appointed a strong Commission to report upon it. The Commission made recommendations which they estimated would cost 61 lakhs in capital expenditure and 65 lakhs of recurring expenditure, estimates which are now generally admitted to be far below the mark. Under these circumstances it never occurred to me that the University would be handed over to us without the necessary financial provision being made. Yet this is what was done by a short Act transferring the University from the Government of India to the Government of Bengal passed by the Legislative Assembly shortly after the present Government came into existence at the beginning of the present year. Am I putting it too high when I say that in this matter we have a legitimate cause of complaint?

Well, now I have given a brief outline of the negotiations leading to the present financial settlement. I have explained the view which we take with regard to it. We have never ceased pressing that view, and in doing so we have been whole-heartedly supported by the Council. It would be ungracious not to express our thanks for the modest measure of relief which has recently been granted to us since the deputation from the Bengal Government and the Legislative Council waited upon His Excellency the Viceroy in Simla in September last; even though it is impossible for us to regard such relief as in any way adequate to meet our legitimate claims. Indeed, we cannot so regard it. But I regret to have to add that up to the present moment we have no grounds on which we can base an expectation of receiving any further assistance. What then are we to do? The framing of the budget for 1922-23 cannot be longer delayed and the task with which we are faced is that of meeting a deficit which is estimated to amount during the coming year to 1 crore and 49 lakhs of rupees. That is the task to which Government have been devoting their attention; and it is the conclusions that we have arrived at that I now have to lay before you.

The first thing that we considered was naturally the possibility of retrenchment. Every department of Government has undergone rigid scrutiny, and we have agreed that for the present, at any rate great sacrifices have got to be made. The first offering upon the altar of economy is the partition of Midnapore. I explained at some length in April last why I thought that it would be false economy to leave unfinished a project on which so much had already been spent, and which was so far advanced towards completion. I still think that the arguments which I then put forward are sound. But the Council has shown that it does not agree with me, for it has passed a resolution in favour of the scheme being stopped, since I placed my arguments before it. Under these circumstances I felt that I must bow to the wishes of the Council and orders were issued some weeks ago that work at Hijli should immediately be closed down in the most economical manner. The buildings at Jhargram are completed and the new subdivision will be opened shortly, but, in deference to the wishes of the Council, the creation of the new district of Hijli will remain in abeyance. Then there is the question of the Grand Trunk Canal. We do not propose to ask the Council to provide funds for any construction work next year. But we hope the Council will agree that the final estimates for the project showing whether, under existing economic conditions, the scheme will prove to be remunerative undertaking or not, should be completed. And my hon'ble colleague the Maharajadhiraja Bahadur of Burdwan will ask you to provide the funds for the establishment required for this purpose. Next we have decided that in the matter of civil works the activities of the Public Works Department next year must be confined to works actually in progress, no new works

of any kind being taken up. This, we anticipate, will effect a saving of approximately 40 lakhs. Then we are prepared to reduce our settlement programme and to work on a two party basis instead of on a four party basis. This will effect a saving of 12½ lakhs. I need not trouble you now with details of other retrenchments distributed over a number of departments to which we have agreed. My hon'ble colleague the Finance Member will be prepared to supply you with full information in due course. The net result of our examination of the possibilities of retrenchment is a saving of approximately 89½ lakhs. On the other hand, there are certain increases amounting to nearly 17 lakhs, which, we think cannot be avoided, the main item in this sum being 11½ lakhs under the head of education. This then gives us a net saving of 72½ lakhs, and reduces our prospective deficit to 76½ lakhs. It will be seen, therefore, that in order to carry on the administration at a reduced level of efficiency entailed by rigid economy all round, we have to find fresh revenue to that extent. For this purpose we shall submit to you very shortly specific proposals for increasing the existing duties on stamps and for the imposition of a tax upon amusements. Our proposals for raising the stamp duty will be laid before you by the Hon'ble Mr. Kerr next month. At the present stage the estimates of the receipts we shall obtain in this way are only approximate, but we hope that the new stamp duties will bring in something over a crore and that the proposed tax on amusements will bring in about 12 lakhs. If this expectation be fulfilled we shall have met our prospective deficit and shall have a sum of between 40 and 50 lakhs in hand. We are of opinion that amongst the first claimants upon this sum must be placed certain of the departments that have agreed to make retrenchments on their existing scales of expenditure and, in particular, the Education Department, the Department of Public Health, the Registration Department, the Department of Agriculture and Industries and the Departments of General Administration and the Administration of Justice. These Departments have agreed for the time being to retrenchments amounting in the aggregate to Rs. 6,50,000. Nearly the whole of this sum is in respect of transferred subjects. It represents a comparatively small proportion of the total retrenchments agreed to; and I would like to take this opportunity of acknowledging the generous manner in which my hon'ble colleagues on the reserved side of the Government have met me, in the first place by agreeing to the bulk of the retrenchment being effected in respect of reserved subjects and, in the second place, by agreeing that the transferred departments, of which I have just spoken, should have the first claim to the restoration of the retrenchments in question, in the event of funds becoming available. At the same time, I must add that some at least of the expenditure retrenched in respect of reserved subjects is expenditure which is urgently required; and I trust, therefore, that in the event of funds being forthcoming, this aspect of the case will receive due weight when

he time for considering the matter in detail arrives. It will also be ecessary to provide for the normal growth of expenditure in the various epartments, the increases of time-scale pay and the like. So I must arn the Council that even with the taxation proposals which we shall ut forward, a comparatively small portion of the surplus will be avail-ble for new expenditure.

Such then is the position. Government have, I need hardly assure ou, given to it the most anxious thought and the proposals which I ave outlined to you provide the best solution which we can devise or meeting the immediate necessities of the case. If the Council is repared to agree to our proposals for increasing the revenue, we shall e able to carry on the administration, to restore the retrenchments on he transferred side and some of the more urgent on the reserved side, nd we shall restore our credit sufficiently to enable us to raise loans hich can be devoted to projects of great importance requiring capital utlay thereby relieving the strain on our annual revenues. We shall till be a poor Province compared with other Provinces, and it must ot be supposed for one moment that a decision of this Council to raise resh revenue for carrying on the administration for the time being, is o be regarded as acquiescence on its part in the present settlement. ery far from it Neither the Council nor Government have ever eparted from the view that the settlement ought to have been such as o permit the continuance of the administration on existing lines with-ut the imposition of additional taxation. And our position is this, hat if, to meet the immediate emergency with which we are faced, we re prepared to raise fresh revenue and to devote it to meeting our xisting deficit, we do so still maintaining that we have a moral claim o further relief, and in that view, we regard the allocation of the roceeds of new taxation to the meeting of our deficit as a purely tem-orary expedient pending further relief, on receipt of which the new evenue raised would become available for those schemes of educational, ndustrial, agricultural and sanitary and medical progress which am sure the Council as much as the Hon'ble Ministers who are harged with them so earnestly desire to see taken in hand.

Such, then, is the position, which I felt it to be my duty to place efore you at the earliest opportunity, together with the proposals hich Government has decided to lay before you for meeting it. My on'ble colleague the Finance Member expects to be in a position to ubmit these proposals to you in detail by the middle of next month. ou will then have an opportunity of discussing the situation. I regret rofoundly that it should be necessary for you to face so difficult and mbarrassing a problem so early in the life of the new Council. But he necessity is due to circumstances beyond our control, and you will ace it, I am sure, with a courage and a sense of responsibility worthy f the legislature of Bengal.

I fear that I have already made a large demand upon your patienc but there is one more matter of grave and urgent importance to whic I feel bound to refer, that is, the serious development of a spirit o defiance of constituted authority which has recently resulted in a widespread display of lawlessness in this city and elsewhere.

There is no need for me to give any detailed account of the events of the past week or two which, beginning with a riot in Howrah on the 4th of this month, culminated in wholesale terrorism and intimidation by means of which the normal life of this city, was gravely interfered with on Thursday last, and the liberty of vast numbers of people in carrying on their normal avocations curtailed. Suffice it to say that such a state of affairs is not tolerable, and that Government is of opinion that a situation has arisen which calls for drastic action That being so, it is my desire to take you immediately into my confidence. The agency which is being used to do the actual work of intimidation consists of certain so-called volunteer corps employed in the cause of non-co-operation. The activities of these bodies have become a menace to the liberty of law-abiding citizens, and they have accordingly been proclaimed to be unlawful associations under the Indian Criminal Law Amendment Act of 1908. That is the first step which Government has considered it necessary to take. Government is also of opinion that the liberty hitherto accorded to all and sundry to hold and address meetings and organise demonstrations has been grossly abused. No one can accuse Government of having exhibited any desire to repress the ordinary freedom of speech tolerated in any free country. But there are limits beyond which no Government that has regard to the interests of the law-abiding citizens over whom it holds sway, can permit license to go. We are of opinion that those limits have been reached and that the instigations to the people to overthrow the existing order have become a menace to the maintenance of peace. It has, therefore, become necessary to impose some restrictions upon the freedom of holding meetings and processions in this city. I do not propose to-day to deal in greater detail with the measures which Government is taking, or may be obliged to take, in the event of the organisers of this movement persisting in their campaign of lawlessness and sedition. I hope that better counsels will prevail. But I would add a few words of a more general nature. Let it not be forgotten that a Government has a duty towards the public, the public equally has a duty towards Government and, indeed, towards itself. No police force in the world can perform its task adequately in the absence of the co-operation of the public. If people are intimidated and refrain from lodging complaints it becomes almost impossible for the police to help them. It is the bounden duty of every loyal citizen actively to assist the police whenever occasion offers. Not only has the active co-operation of the public with the police been conspicuous by its absence, but there has been too marked a tendency

[illegible] of many, who, I am sure cannot in their hearts, desire to [illegible] lawlessness triumphant, to act in a manner which can only encourage the lawless and render more difficult the task of the police. The encouraging of strikes regardless of the reasonableness of the alleged cause of the strike or of the consequences is an example of what I mean; and the recent tram strike is an illustration in point. If the strike had been a genuine economic strike, Government would have appointed a Conciliation Board to deal with it. It was nothing of the sort, and anyone who foments or encourages such a strike has a grave responsibility on his conscience. Government is bound to do its best in such a case to protect those who desire to carry on their lawful business. But to do so means the imposition of a heavy additional burden upon the police. And if these additional duties are to be discharged efficiently, Government will be obliged to increase the police force—an expensive proceeding, but one which under such circumstances, it could not possibly refuse to undertake. There is another form of action well calculated to impair the efficiency of the force and to render more difficult the maintenance of order, and that is the adoption of the attitude on the part of a certain class of person, that whenever the police are compelled to take action to quell disturbances, it is the rioters who must be in the right and the police and Government who must be in the wrong. A recent case in point is the attitude taken up by certain persons after the riots in Howrah at the beginning of the month. Not only did they take up an attitude which led the public to suppose that they regarded the rioters as injured innocents, but they openly flouted the Magistrate who was charged with the duty of holding a magisterial inquiry into the occurrence and engineered a mischievous agitation with a view to deterring members of the public from giving evidence before him in the course of the inquiry which he was carrying out. I venture to convey to all such persons a solemn warning that, whether they realise it or not, they are paving the way which leads to anarchy. If they care to study history, they will find that it is almost invariably the case that those who sow the wind in the end reap the whirlwind. It is very easy to fall into the error of thinking that abuse of constituted authority is synonymous with patriotism and following upon this initial error, it is only too easy to raise up the forces of disorder. They need not dive very deep into history. They will find the whole process set out before their eyes in Russia at the present time. But let me beg of them with all the power which I can command not to forget that when once the forces of disorder are thoroughly roused, they will find themselves quite incapable of controlling them. Mr. Gandhi himself is discovering this eternal truth at the present moment. He publicly admits that he has been more instrumental than any other in bringing into being a spirit of revolt. And what is he doing now? Let me quote his own words:—" The *Swaraj* that I have witnessed during the

I fear that I have already made a large demand upon your patience; but there is one more matter of grave and urgent importance to which I feel bound to refer, that is, the serious development of a spirit of defiance of constituted authority which has recently resulted in a widespread display of lawlessness in this city and elsewhere.

There is no need for me to give any detailed account of the events of the past week or two which, beginning with a riot in Howrah on the 4th of this month, culminated in wholesale terrorism and intimidation by means of which the normal life of this city, was gravely interfered with on Thursday last, and the liberty of vast numbers of people in carrying on their normal avocations curtailed. Suffice it to say that such a state of affairs is not tolerable, and that Government is of opinion that a situation has arisen which calls for drastic action. That being so, it is my desire to take you immediately into my confidence. The agency which is being used to do the actual work of intimidation consists of certain so-called volunteer corps employed in the cause of non-co-operation. The activities of these bodies have become a menace to the liberty of law-abiding citizens, and they have accordingly been proclaimed to be unlawful associations under the Indian Criminal Law Amendment Act of 1908. That is the first step which Government has considered it necessary to take. Government is also of opinion that the liberty hitherto accorded to all and sundry to hold and address meetings and organise demonstrations has been grossly abused. No one can accuse Government of having exhibited any desire to repress the ordinary freedom of speech tolerated in any free country. But there are limits beyond which no Government that has regard to the interests of the law-abiding citizens over whom it holds sway, can permit license to go. We are of opinion that those limits have been reached and that the instigations to the people to overthrow the existing order have become a menace to the maintenance of peace. It has, therefore, become necessary to impose some restrictions upon the freedom of holding meetings and processions in this city. I do not propose to-day to deal in greater detail with the measures which Government is taking, or may be obliged to take, in the event of the organisers of this movement persisting in their campaign of lawlessness and sedition. I hope that better counsels will prevail. But I would add a few words of a more general nature. Let it not be forgotten that a Government has a duty towards the public, the public equally has a duty towards Government and, indeed, towards itself. No police force in the world can perform its task adequately in the absence of the co-operation of the public. If people are intimidated and refrain from lodging complaints it becomes almost impossible for the police to help them. It is the bounden duty of every loyal citizen actively to assist the police whenever occasion offers. Not only has the active co-operation of the public with the police been conspicuous by its absence, but there has been too marked a tendency

on the part of many, who, I am sure cannot in their hearts, desire to see lawlessness triumphant, to act in a manner which can only encourage the lawless and render more difficult the task of the police. The encouraging of strikes regardless of the reasonableness of the alleged cause of the strike or of the consequences is an example of what I mean; and the recent tram strike is an illustration in point. If the strike had been a genuine economic strike, Government would have appointed a Conciliation Board to deal with it. It was nothing of the sort, and anyone who foments or encourages such a strike has a grave responsibility on his conscience. Government is bound to do its best in such a case to protect those who desire to carry on their lawful business. But to do so means the imposition of a heavy additional burden upon the police. And if these additional duties are to be discharged efficiently, Government will be obliged to increase the police force—an expensive proceeding, but one which under such circumstances, it could not possibly refuse to undertake. There is another form of action well calculated to impair the efficiency of the force and to render more difficult the maintenance of order, and that is the adoption of the attitude on the part of a certain class of person, that whenever the police are compelled to take action to quell disturbances, it is the rioters who must be in the right and the police and Government who must be in the wrong. A recent case in point is the attitude taken up by certain persons after the riots in Howrah at the beginning of the month. Not only did they take up an attitude which led the public to suppose that they regarded the rioters as injured innocents, but they openly flouted the Magistrate who was charged with the duty of holding a magisterial inquiry into the occurrence and engineered a mischievous agitation with a view to deterring members of the public from giving evidence before him in the course of the inquiry which he was carrying out. I venture to convey to all such persons a solemn warning that, whether they realise it or not, they are paving the way which leads to anarchy. If they care to study history, they will find that it is almost invariably the case that those who sow the wind in the end reap the whirlwind. It is very easy to fall into the error of thinking that abuse of constituted authority is synonymous with patriotism and following upon this initial error, it is only too easy to raise up the forces of disorder. They need not dive very deep into history. They will find the whole process set out before their eyes in Russia at the present time. But let me beg of them with all the power which I can command not to forget that when once the forces of disorder are thoroughly roused, they will find themselves quite incapable of controlling them. Mr. Gandhi himself is discovering this eternal truth at the present moment. He publicly admits that he has been more instrumental than any other in bringing into being a spirit of revolt. And what is he doing now? Let me quote his own words:—"The *Swaraj* that I have witnessed during the

last two days has stunk in my nostrils" . . . . . "I invite my fellow-workers to make ceaseless efforts to regain control over the turbulent elements." Will his fellow-workers listen to him? And if they do, will they succeed in laying the spirit of evil that they have raised up? Mr. Gandhi confesses that he found the crowd in Bombay bent upon mischief and destruction, and unwilling to listen even to him. "With non-violence on our lips," he says, "we have terrorised those who have differed from us and in so doing we have denied our God." Let us at least be thankful for this, that Mr. Gandhi has at last realised that which from bitter experience many have long known, namely, that to talk of non-violence in connection with non-co-operation is a pitiful travesty of language. Dare we hope that he may yet be brought to realise that the salvation of this country lies in co-operation rather than in antagonism and in good-will rather than in hatred! We cannot tell, we can only pray reverently and earnestly to God Almighty that this may be so. In the meantime with a full knowledge of the danger with which society is faced and with a full sense of my responsibility as head of the administration in Bengal, I make this appeal to the members of this Council and through them to all who desire to see Bengal marching in orderly progress to that goal which is already in sight, to range themselves whole-heartedly on the side of liberty for the individual and law and order for all and to join hands cordially with Government in fighting lawlessness and sedition. The time has come when men have got to come down on one side of the fence or the other. Those who are not on the side of law and order are on the side of revolution; and revolution means anarchy. The Government of Bengal will not hesitate to make use of all the powers which it possesses to quell disorder and to secure to the people liberty to proceed peacefully about their lawful avocations. And if it finds that powers over and above those which it possesses are necessary to enable it to achieve this purpose, it will not hesitate to ask for them. With the whole-hearted and active support of the law-abiding public peace and progress can be restored. And it is to you, the freely elected and duly accredited representatives of the people, that I look to take the lead in organising the public to stem the tide of tyranny which it is sought to impose upon them and to save their motherland from the possibility of disaster. I know that such an appeal cannot be in vain.

His Excellency the Governor then left the Chamber preceded by the Hon'ble the President.

The Deputy-President then took the Chair.

Oaths.

The following members made an oath of their allegiance to the Crown:—

MR. H. L. STEPHENSON.

MAJOR-GENERAL W. H. B. ROBINSON.

MR. H. P. DUVAL.

MR. S. W. GOODE.

MR. C. ADDAMS-WILLIAMS

LIEUTENANT-COLONEL C. D. M. HINDLEY.

Certificates under Section 72 D (2) of the Government of India Act.

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. Kerr): In accordance with the provisions of standing order No. 71, I beg to lay on the table a statement showing the action taken by His Excellency the Governor since the last meeting of this Council in regard to certain grants which were refused by this Council. The first is a small sum of Rs. 4,300 which His Excellency has certified as being necessary in connection with the closing up of the operations relating to the partition of the Mymensingh district. The second relates to an expenditure of Rs. 1,03,905 which is required for the payment of charges for works done and liabilities incurred in respect of the residence for the Chief Justice, the work on which was stopped on the refusal of the Legislative Council to vote a grant for the purpose

PARTITION OF MYMENSINGH DISTRICT

Under proviso (b) to section 72D(2) of the Government of India Act I hereby authorise, as a case of emergency, the expenditure of Rs. 4,300 (Rupees four thousand and three hundred only) which is necessary for the payment due for the months of May, June, July, August, September, and October, 1921 of the salaries and allowances of the officers and establishment employed on the works of the partition of Mymensingh District and to the contingent expenditure connected with the Public Works Department officers controlling these works

RONALDSHAY,

Governor of Bengal

The 21st September, 1921

RESIDENCE FOR THE CHIEF JUSTICE

Under proviso (b) to section 72D(2) of the Government of India Act, I hereby authorise, as a case of emergency, the expenditure of Rs. 1,03,905 which is necessary for the payment of charges for work done and liabilities incurred in respect of the residence of the Chief Justice of the High Court of Judicature at Fort William in Bengal, the work having been stopped on the refusal of the Legislative Council to vote a grant for the purpose

RONALDSHAY,

Governor of Bengal

The 23rd September, 1921

Appointment of Panel of Chairmen.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): In accordance with the provisions of Rule 3 of the Bengal Legislative Council Rules, 1920, the President has nominated the following members of Council to form a panel of four Chairmen, namely:—

Sir Asutosh Chaudhuri,

Mr. R. M. Watson-Smyth,

Rai Radha Charan Pal Bahadur, and

Maulvi A. K. Fazl-ul Haq.

Unless otherwise arranged, the senior member among them present, in the above order, will preside over the deliberations of this Council in the absence of the President and the Deputy-President.

The Royal Visit.

Letter of acknowledgment from the Secretary, Judicial and Public Department, India Office, Whitehall.

I am also to read out the following letter received by the Secretary to the Council from the Secretary, Judicial and Public Department, India Office, Whitehall, London, dated the 18th November, 1921:—

"SIR,

With reference to the Despatch No. 1-L., dated the 5th September last from His Excellency the Governor in Council, I am directed to inform you that the resolution passed by the Bengal Legislative Council on the 29th August last, expressing gratitude for the expected visit of His Royal Highness the Prince of Wales to India next cold weather, has been laid before His Majesty the King.

I am, Sir,

Your obedient servant,

V. DAWSON,

for *Secretary,*

Judicial and Public Department."

Starred Questions

(to which oral answers were given).

Uniforms to peons of Honorary Magistrates.

*I. **Nawabzada K. M. AFZAL, Khan Bahadur:** (a) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state the names of districts in this Presidency where the peons or orderlies of Honorary Magistrates are provided with uniforms at Government cost?

(b) Is it a fact that in some districts they are not supplied at the public expense?

(c) Will the Hon'ble the Member be pleased to state the reasons for the differential treatment?

The Hon'ble Mr. KERR: (a) Darjeeling, Pabna, 24-Parganas, Nadia, Khulna, Hooghly, Burdwan, Midnapore, Bankura, Faridpur, Bakarganj and Noakhali.

(b) Yes.

(c) Honorary Magistrates are not actually mentioned in clause (17) of paragraph 112 of the Bengal Treasury Manual, which is the rule governing the supply of liveries to peons and this rule has been differently interpreted in various districts. In some districts, no special peons are attached to the court of Honorary Magistrates, but the work is done by peons of the Magistrate's office on Bench days.

Philosophy course in the Chittagong College.

*II. **Rai UPENDRA LAL RAY Bahadur:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(i) whether affiliation in Philosophy for the B.A. pass standard in the Chittagong College has been sanctioned from the current session;

(ii) how many students passed the I.A. Examination in Logic from the Chittagong College last year;

(iii) how many students applied for taking up the Philosophy course in the Chittagong College this year and with what result;

(iv) whether a professor has been appointed to teach Philosophy in the said college; and

(v) if not, from what date is it proposed to appoint such a professor?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*i*) It has been so sanctioned.

(*ii*) Thirty-three.

(*iii*) Twenty-three. Of these 15 students decided to take another subject and were admitted.

(*iv*) No professor has been appointed as no budget provision exists for the appointment.

(*v*) It is intended to include provision in the budget for next year, and, if it is passed, to appoint a professor with effect from the beginning of the next College year.

Babu ANNADA CHARAN DUTTA: Will the Hon'ble the Minister be pleased to state on what minimum monthly initial pay a Professor in Philosophy for the Chittagong College may be appointed?

The Hon'ble Mr. P. C. MITTER: I do not like to make any statement at this stage.

Roads maintained by district boards in the Rajshahi Division.

***111. Babu JOGESH CHANDRA SARKAR:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the annual cost of maintenance per mile of *kutcha* roads by the different district boards in the Rajshahi Division?

(*b*) Will the Hon'ble the Minister be pleased to state the mileage of roads maintained by the district boards of Bengal within urban areas, and also whether these roads are excluded from the municipal areas, but cleaned and lighted by the municipalities?

(*c*) Are the Government considering the feasibility of directing the district boards to contribute the actual cost of maintenance of such roads to the respective municipalities?

(*d*) Is the Hon'ble the Minister aware that at present there is a conflict of jurisdiction?

(*e*) Will the Hon'ble the Minister be pleased to state what steps are taken by Government to ensure the keeping of sufficient waterways in the construction of roads by the district and local boards and also by the railway administrations?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*) A statement (I) is laid on the table.

(*b*) A statement (II) is laid on the table.

(c) Government do not propose to interfere in the manner suggested in the question.

(d) The Chairman of the 24-Parganas reports that sometimes differences arise about proprietary rights over roadside lands, the fruit of tress, etc. The Chairman of the Pabna district board reports that there is a conflict of jurisdiction in respect of a length of 5 miles 2 furlongs 119 yards lying within municipal limits which is maintained by the district board. No other district board reports any conflict of jurisdiction.

(e) So far as the district and local board roads are concerned, this is a matter for the local bodies. Government propose to address district boards on the subject. In regard to navigable waterways which are to be crossed by a line of railway, sufficiency of waterway is secured by the observance of the rules promulgated with Government of India (Railway Board's) letter No. 65 P-16, dated 3rd February, 1919, of which a copy is laid on the table. In other cases the alignments of proposed railways are carefully examined by the local officers with reference to the sufficiency or otherwise of waterways, and the Local Government's opinion is communicated to the Railway Board for consideration before the project is sanctioned.

The railways have been addressed on the subject by the Local Self-Government Department in a circular No. 2564-2579 P.H., dated the 10th August, 1921, of which a copy is laid on the table.

STATEMENT I

Showing the annual cost of maintenance per mile of kutcha *roads in the several district boards of the Rajshahi Division, referred to in the reply to clause (a) of starred question No. III.*

Name of district board.	Annual cost of maintenance per mile of *kutcha* road
Rajshahi	District road, Rs. 60.* Village road, Rs. 22.
Dinajpur	Rs. 36 (average) †
Jalpaiguri	Rs. 81
Rangpur	Rs. 31 (average)
Bogra	District road, Rs. 81. Village road, Rs. 17.
Pabna	Rs. 28 (average)
Malda	District road, Rs. 79 Village road Rs. 29.

* Includes charges for repairs to bridges and culverts and Inspection Bungalows on the road.
† Includes petty repairs to bridges.

STATEMENT II

Showing the mileage of roads maintained by district boards within urban areas referred to in the reply to clause (b) of starred question No. III.

Name of district board	Mileage of roads maintained by district boards within urban areas which are excluded from municipal limits.	Mileage of roads maintained by district boards within urban areas which are not excluded from municipal limits	Whether or not cleaned by municipality.
1	2	3	4
Burdwan ...	Nil	3·6 miles	Cleaned and lighted by municipalities except for 2 furlongs.
Birbhum ...	Nil	About 6 miles	Cleaned and lighted by municipality.
Bankura ...	Nil	7·37 miles	Cleaned and lighted by municipality.
Midnapore ...	Nil	13·52 "	·25 miles lighted by the Midnapore municipality. 3·37 miles cleaned and lighted by the Tamluk municipality. 6 miles lighted and partly cleaned by the Ghatal municipality 6·1 miles partly lighted and cleaned by Khirpai and Chandrakona municipalities.
Hooghly ...	1 mile	Nil	Lighted by municipality at the cost of the district board.
24-Parganas ...	Nil	65·5 miles	Cleaned and lighted by municipality.
Nadia ...	Nil	About 1·58 miles	Half a mile is lighted but not cleaned by municipality.
Jessore ...	Nil	3·6 miles	Cleaned and lighted by municipality.
Khulna ...	4·75 miles	Nil	Ditto.
Mymensingh ...	27 "	Nil	Ditto.
Faridpur ...	Nil	5·75 miles	Ditto.

Name of district board.	Mileage of road maintained by district boards within urban areas which are excluded from municipal limits.	Mileage of roads maintained by district boards within urban areas which are not excluded from municipal limits.	Whether or not cleaned by municipality.
1	2	3	4
Bakarganj ..	20 miles	Nil	Portions of these roads lying within towns proper are cleaned and lighted by municipalities.
Chittagong ...	Nil	1·25 miles	Cleaned and lighted by municipality.
Tippera ...	Nil	8·68 ,,	Ditto
Noakhali ...	Nil	4·66 miles	Ditto.
Rajshahi ...	7·125 miles	Nil	Ditto.
Dinajpur ...	5·28 ,,	Nil	Ditto.
Jalpaiguri ...	7·57 miles	Nil	Cleaned and lighted by municipality.
Rangpur ...	16·4 ,,	Nil	Ditto
Bogra ...	1·5 ,,	Nil	Ditto.
Pabna ...	2·78 ,,	5·32 miles	Cleaned by municipality. Lighted partly by municipality and partly by the district board
Malda ...	Nil	1·5 ,,	Ditto
Total ...	93·105 miles	157·33 miles	

NOTE.—No roads within urban areas are maintained by the district boards of Howrah, Dacca and Murshidabad.

Letter referred to in the reply to clause (c) of starred question No. 111.

No. 65 P.-16, dated Simla the 3rd February, 1919.

From W. R. Horn, Esq., Assistant Secretary to the Government of India, Railway Department (Railway Board),

To The Secretary to the Government of Bengal, Public Works (Railway) Department.

With reference to the correspondence ending with your letter No. 5220 I., dated the 7th-27th November, 1917, regarding the principles to be observed in future in determining the headways and waterways to be provided under railway bridges over navigable channels in Assam and Bengal, I am directed to say that the Government of India accept generally the recommendations of the conference which was held in Calcutta on the 17th September, 1917, to consider the suggestions made by the Railway Board in their letter No. 65 P.-16, dated the 25th May, 1917, on the subject;

and after considering the remarks offered thereon by the Government of Bengal and the Assam administration, the Government of India are of opinion that the rules contained in the enclosure to this letter will reasonably safeguard the interest of the steamer companies and of railways.

2. I am accordingly to request that, if His Excellency the Governor in Council sees no objection, the principles embodied in these rules may be observed in future in fixing the headways and spans for railway bridges over the waterway of Bengal.

Rules embodying the principles to be observed in determining the headways and waterways under railway bridges over navigable channels in Assam and Bengal.

In the case of rivers on which steamer services are already established, full provision should be made for these services by the railway. Reasonable provision should also be made at railway cost for any development of river traffic that can be shown to be definitely in sight when the construction of a railway is taken in hand.

2 In the case of rivers which are navigable but which have not hitherto been served by steamers, the railways should not be called upon to provide greater headways or wider spans than are necessary for the passing of flood water and country boats of the largest size among those which habitually use the stream unless the steamer companies can show that there is a genuine prospect of river services being opened within a reasonable period and that such services are required in the public interest. What is a genuine prospect and what is a reasonable period are questions of facts to be decided in each case as it arises

3. As regards rivers which are unsuitable for steamer traffic, railways should not be required to provide any facilities for steamer services, since possible improvements in the future must be purely hypothetical Whether a river is suitable or unsuitable for navigation should be decided by the Local Government after hearing the steamer companies and the railway concerned.

4 In all cases, other than those mentioned in clauses 1 and 2, steamer companies should provide the whole or such portion, as the Government of India may in each case determine, of the additional cost of any increase of span or headway which they desire should be provided and which is not necessary for the purposes of the railway

5 Headways should generally be calculated above the normal high flood level, taking, if possible, an average of not less than ten years' recorded high flood levels

6 In fixing headways it must be remembered that if railways are required to make bridges high enough to pass all established steamer traffic, steamer companies, on their part, should reasonably be expected to adopt a suitable type of steamer with dipping funnels, kept as low above water level as possible, so as not to raise the cost of bridges unnecessarily. It is considered that the standard types of steamer, requiring headways as detailed below, will be suitable for all kinds of river traffic—

14 feet
20 ,,
28 ,,
35 ,,
40 ,,
over 40 ,, (with the previous approval of the Local Government).

With the steamers classified thus, it will merely be necessary, in order to determine what headway should be provided over a river in any given case to decide for what particular type of steamer the bridge should be constructed.

7. If the cost of providing the required headway should prove excessive, lifting or swing bridges may be substituted for fixed spans. In that case provision must be made for opening the movable span at reasonable intervals so as not to obstruct the steamer traffic unnecessarily.

8. Provision should be made for country boat traffic in the case of all rivers, on which country boats ply or it is possible for them to ply.

9. In regard to the waterway to be provided, in any given case, provision should be made for spans of width sufficient to pass steamers with two flats alongside in the case of large rivers and steamers with one flat alongside in the case of smaller rivers.

10. Disputes or differences of opinion in particular cases should be settled in respect of each case by the Local Government after reference, if required, to a local committee representative of all interests and presided over by the Commissioner of the Division or valley concerned.

Circular referred to in the reply to clause (c) of starred question No. 111.

Circular Nos. 2564-2579 P. H., dated Calcutta, the 10th August, 1921.

From—L. S. S. O'MALLEY, ESQ., C.I.E., I.C.S., Secretary to the Government of Bengal, Local Self-Government Department,

To—(1) The Agent, East Indian Railway, (2) The Agent, Eastern Bengal Railway, (3) The Agent, Bengal-Nagpur Railway, (4) The Agent, Assam-Bengal Railway, (5) The Managing Agent, Ahmadpur-Katwa Railway Company, (6) The Managing Agent, Baraset-Basirhat Light Railway, (7) The Managing Agent, Burdwan-Katwa Railway; (8) The Managing Agent, Howrah-Amta Light Railway, (9) The Managing Agent, Howrah-Sheakhala Light Railway, (10) The Managing Agent, Jessore-Jhenidah Railway, (11) The Managing Agent, Kalighat-Falta Railway, (12) The Manager and Engineer, Bengal Duars Railway; (13) The Manager and Engineer, Bengal Provincial Railway; (14) The General Manager, Darjeeling-Himalayan Railway; (15) The General Manager, Darjeeling-Himalayan Extensions, (16) Chairman, Calcutta Port Commissioners.

THE HON'BLE SIR SURENDRA NATH BANERJEA, KT., *Minister-in-charge.*

I am directed to invite your attention to the following recommendations made by Lieutenant-Colonel W. W. Clemesha, C.I.E., I.M.S., late Sanitary Commissioner with the Government of India:—

"Within the last decade, the science of epidemiology and preventive medicine have made enormous strides. Much of the work that has been done is naturally not known to railway and irrigation authorities and other large employers of labour, but the time has now come when co-ordination between these and the Sanitary Department is pre-eminently desirable. I consider that the best way of attaining this object will be as follows:—

(1) As soon as the Railway Board have decided to construct any portion of a line and have decided on the route to be followed, information shall be given by the Railway Administration to the Local Government concerned who will arrange to convene a committee consisting of—

(i) Sanitary Commissioner of the Province,

(ii) Chief Medical Officer of the Railway Company;

(iii) Chief Engineer of the Railway who is to carry out the construction work;

(iv) Chief Engineer, Irrigation Department, of the Province;

(v) Commissioner of the Division through which the railway travels or Collector of the district and the Civil Surgeon as may be thought desirable; and

(vi) The Malaria Research Officer of the Province.

(2) This Committee will meet, make a study of the routes along which the line is to be constructed and will carefully investigate the following points: (they will record their opinion and will report to the Railway Board, and, if necessary, to the Local Government)—

(a) The general health conditions of the country through which the line travels particularly as regards malaria.

(b) The Medical staff that will be required in order to supervise the medical and preventive arrangements for the construction of the line.

(c) To locate the places where hospital accommodation shall be provided.

(d) As far as is practicable to suggest to the Railway Company where labour camps should be arranged and what localities to avoid.

(e) To advise the Railway Company as to the best sources of water-supply for the labour forces

(f) The Chief Engineer, Irrigation Department, in consultation with the Railway Engineers, will deal with the subject of the interference with natural drainage that might be caused by the railway embankments

(g) The Committee will also, with the help of the Malaria Research Officer, study the subject of the influence of borrow-pits on malaria of the district and will make such suggestions as circumstances demand

(h) Some members of the Committee, preferably the Malaria Research Officer and the Sanitary Commissioner, will periodically inspect the line to see that the health conditions of the labour force are satisfactory and to make any recommendations that circumstances demand

(i) To advise what villages in the neighbourhood are likely to be centres of spread of disease and to provide for the regular inspection and improvement of these

(3) In case of any difficulty the Sanitary Commissioner of the Government of India may be called upon to meet the Committee and to decide any point."

Colonel Clemesha added —

"The main point of these suggestions is to obtain all possible assistance from Local Governments in helping the Railway construction engineers with the soundest advice on the health conditions they will have to meet during their construction operations."

2. With reference to these recommendations the Government of India remarked —

"The suggestion for the appointment of a committee when railway and other large public works are taken in hand has the approval of the Government of India. The constitution of the Committee has been criticised by several Railway Administrations as being too elaborate This, however, is a matter of detail, and the Government of India would leave it to the Local Governments, when they receive intimation that railway operations or other large public works are imminent, to settle in each case, in consultation with the authorities concerned, the constitution and the functions of the Committee."

As regards paragraph 2 (*f*) of Colonel Clemesha's note the Government of India remarked :—

"It is generally agreed that the water-logging in certain areas is due to the interruptions of the natural flow of water by embankments, canals, etc., which are insufficiently provided with waterways and that by such water-logging both the health of the people and, in certain large tracts of country, the productivity of the soil are prejudicially affected Every endeavour should be made to see that natural drainage is not impeded, and that where it is already impeded such impediments should be removed This is one of the points which the Sanitary Commissioner has indicated as requiring attention when a new line is under consideration, but equally when the question is one of the removal of existing impediments to drainage, the best results will be secured by consultation and discussion between the various interests concerned"

3 I am to invite your special attention to these remarks and to request that information may be sent to this department when any new works are undertaken.

Malaria in Manikganj.

*IV. **Dr. A. SUHRAWARDY:** (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the deplorable condition of Manikganj due to the scourge of malaria?

(*b*) If so, will the Hon'ble the Minister state what steps, if any, have been taken to mitigate the sufferings of the people caused by malaria?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Government are aware that the Manikganj subdivision is infected with malaria and that there was an epidemic this year.

(*b*) Medical relief is provided by the District Board maintaining six dispensaries and aiding one The Board also maintains a subsidised doctor in the Gheor union within the subdivision, and employs a sanitation party consisting of 20 coolies and a supervisor for disinfecting tanks and wells and clearing jungles No systematic anti-malarial operations have yet been undertaken by the Board In connection with the epidemic of this year Government made a grant of Rs 1,075 for the free supply of quinine and medicines in addition to the usual annual grant made to the District Board for the free supply of quinine and it deputed three Sub-Assistant Surgeons to work for 8 months in the affected area. It may be added that the Minister while he was in Dacca in August last, instructed the Assistant Director of Public Health stationed there to make a special inquiry and report upon the prevalence of malarial fever in the Manikganj subdivision

Muhammadan members in local bodies.

*V. **Maulvi HAMID-UD-DIN KHAN:** Will the Hon'ble the minister in charge of the Department of Local Self-Government be

pleased to say what is the proportion of nominated Mussalman members in the present union boards, local boards, district boards and other self-governing bodies in the Rajshahi division?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement is laid on the table.

Maulvi A. H. M. WAZIR ALI: Will the Hon'ble the Minister be pleased to state if the percentage of Muhammadans on this Local Self-Governing Body is adequate?

The Hon'ble Sir SURENDRA NATH BANERJEA: It is an expression of opinion which I am asked to make and I do not think that we are called upon to give an expression of opinion in this Council.

Statement referred to in the reply to starred question No. V, showing the proportion of nominated Mussalman members in union boards, local boards, district boards and other self-governing bodies in the districts in the Rajshahi Division.

Local bodies.	Total number of nominated members.	Number of nominated Muhammadan members	Percentage of nominated Muhammadans to total number nominated
RAJSHAHI—			
District Board	11	3	27·2
Sadar Local Board	5	4	80
Nator "	4	1	25
Naugoan "	4	3	75
Rampur Boalia Municipality ...	7	3	42·8
Nator " ...	6	2	33·8
Puthia Union Committee ...	3	1	33·3
Taherpur " ...	3	1	33·3
Arani " ...	3	1	33·3
Godagari " ...	3	1	33·3
DINAJPUR—			
District Board	9	2	22·2
Sadar Local Board	10 (a)	8 (b)	80

(a) Four under section 10 of Act III of 1885.
(b) Two under section 10 of Act III of 1885.

Local bodies	Total number of nominated members.	Number of nominated Muhammadan members.	Percentage of nominated Muhammadans to total number nominated.
DINAJPUR—			
Thakurgoan Local Board	5	2	40
Baluraghat "	5 (c)	2	40
Dinajpur Municipality	7	3	42·8
JALPAIGURI—			
Local Board at Alipur Duars ..	6	...	...
District Board	14	2	14·3
Jalpaiguri Municipality	5	3	60
RANGPUR—			
Union Committees	219	100	45·6
Local Boards	30	17	56·6
District Board	5	3	60
Rangpur Municipality	6	3	50
PABNA—			
District Board	7	3	42·8
Sadar Local Board ...	4	3	75
Serajganj "	4	1	25
Bera Union Committees ...	3	...	..
Chatmohar "	3	1	33·3
Ullapara "	3	1	33·3
Shahzadpur "	3	1	33·3
Pabna Municipality	6	5	83·3
Serajganj "	6	...	...

(c) One under section 10 of Act III of 1885.

Local bodies	Total number of nominated members.	Number of nominated Muhammadan members.	Percentage of nominated Muhammadans to total number nominated.
BOGRA—			
District Board	15	7	46·6
Union Committees	42	2	4·8
Bogra Municipality	15	1	6·6
Sherpur "	4	...	...
MALDA—			
District Board	15	7	46·6
English Bazar Municipality ...	6	2	33·3
Old Malda "	4	1	25
Nawabganj "	4	2	50
Kaligram Union Committee ...	3	2	66·6
DARJEELING—			
Darjeeling Municipality	9	1	11·1
Kurseong "	10 (d)	1	10

(d) Six under section 16 of the Bengal Municipal Act.

Mr. Delevingne, District Judge of Dacca.

*VI. **Babu FANINDRALAL DE:** (a) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state the period during which Mr. Delevingne has been the District Judge of Dacca?

(b) What is the number of Civil appeals of all kinds disposed of by him during this period?

(c) Is it a fact that during the said period very few appeals preferred against decisions of Subordinate Judges have been disposed of by him?

(d) Will the Hon'ble the Member be pleased to state the number of appeals preferred against decisions of Subordinate Judges and Munsifs that are now pending before the District Judge of Dacca?

(e) Is the Hon'ble the Member aware that Mr. Delevingne does not sit for more than about three hours in his Court-room on any day?

(*f*) At what hour of the day has it been the usual practice with the Judge to take his seat in the Court-room since his arrival at Dacca?

(*g*) How many ministerial officers, pleader-commissioners and pleaders' clerks have been suspended by Mr. Delevingne since he became the District Judge of Dacca, and how many such cases occurred during the time of his three immediate predecessors?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) Mr. Delevingne has been District Judge of Dacca from the 8th December, 1920.

(*b*) 131 Civil appeals have been disposed of by Mr. Delevingne.

(*c*) 29 such appeals have been disposed of.

(*d*) The number respectively is 213 and 807.

(*e*) This is not infrequently the case owing to a large number of miscellaneous cases heard in chamber and heavy office work, and, recently, to work caused by the boycott of the Fourth Subordinate Judge's court by pleaders of the local bar.

(*f*) This cannot be answered. The time has varied from day to day. Recently he has been taking his seat a few minutes after 11 o'clock.

(*g*) (*i*) During the time of Mr. Delevingne—Clerks, 4; pleader-commissioners, none, but in a few cases, on account of bad work or of over-charges for work done, the District Judge has refused to give them any more work at present; pleaders' clerks, many pleaders' clerks have failed for two years or more, to apply for renewal of their cards and have, contrary to the High Court rules, continued to exercise the privileges of recognised clerks without doing so. For this it has been ordered in the case of 14 clerks, that their cards shall not be renewed for another year, and, in the case of six, that they shall not be renewed for the remainder of the current year.

(*ii*) During the time of three immediate predecessors of Mr. Delevingne.—Clerks, nil; pleader-commissioners, three; pleaders' clerks, nil.

Sub-registrars.

***VII. Maulvi AZAHARUDDIN AHMED:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether any scheme for the improvement of the service of sub-registrars has been prepared by the Government and whether the Government intend to publish it before Christmas?

The Hon'ble Mr. P. C. MITTER: A scheme has been prepared and is under consideration. Owing to the critical state of the provincial finances, it is difficult to say when it can be promulgated.

Expenditure in administering the proposed Bengal Children law.

*VIII. **Mr. S. M. BOSE:** Will the Hon'ble the Member in charge of the Judicial Department be pleased to state the approximate capital and recurring expenditure that will be incurred in administering the provisions of the Bengal Children Bill, if passed into law?

The Hon'ble Sir ABD-UR-RAHIM: Government are not in a position to supply the information as the Bill is still under consideration.

Preliminary budget estimate for 1922-23.

*IX. **Babu SURENDRA NATH MALLIK:** (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether the work of preparing the Budget (in its preliminary stage) for the next year has been taken in hand by the Finance Department?

(*b*) Will the Hon'ble the Member be pleased to state, as far as is possible now, what estimate Government are making as to the receipt side of the budget, for the purpose of the preliminary budget proposals?

The Hon'ble Mr. KERR: (*a*) Yes.

(*b*) The receipt estimates have not yet been framed, and it is not possible to make any statement on the subject at present.

Representation of Indian commercial interests on the Bengal Legislative Council.

*X. **Rai UPENDRA LAL RAY Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state on what basis the Southborough Committee fixed the representation of Indian commercial interests on the Bengal Legislative Council?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that the following mercantile bodies were consulted about the representation—

(*i*) the Bengal National Chamber of Commerce,

(*ii*) the Marwari Chamber of Commerce,

(*iii*) the Bengal Mahajan Sabha, and

(*iv*) the Indian Merchants' Association, Chittagong?

(*c*) Is it a fact that the original proposal was to allot three seats amongst the said Association and was it subsequently raised to four?

(*d*) Is it a fact that the three first named Associations are established in Calcutta and the last one at Chittagong?

(*e*) Will the Hon'ble the Member be pleased to state what were the summaries of the recommendations made by each of these Associations?

(*f*) What was the recommendation of the Government of Bengal about the allocation of the three seats as originally proposed?

(*g*) Will the Hon'ble the Member be pleased to state whether the case of the Indian Merchants' Association, Chittagong, was considered when the number was raised to four?

(*h*) Was any opportunity given to the above mercantile bodies or any one of them to express their views when the number was increased from three to four?

(*i*) Was the case of the merchants of Eastern Bengal, and, especially of the port of Chittagong, considered when the number was finally fixed?

(*j*) If not, will the Hon'ble the Member be pleased to state what action, if any, is intended to be taken in the matter?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) The Southborough Committee made its recommendations after considering the views of the local Government and the representations of the Associations consulted.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes.

(*e*) and (*f*) The member is referred to pages 173 to 181 of the report of the Southborough Committee

(*g*) and (*i*) The fourth seat was allocated under the instructions of the Secretary of State who was conversant with the views already expressed by the Associations consulted.

(*h*) No.

(*j*) Government do not propose to take any action in the matter

Roping and handcuffing under-trial prisoners.

***XI. Mr. TARIT BHUSAN ROY:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that within the last four months in some instances under-trial prisoners charged with political offences were roped and handcuffed while they were led openly by the police?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble Member be pleased to state whether such a course is sanctioned by the existing regulations?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) and (*b*) No such instances in the case of under-trial prisoners have come to the notice of Government. In the answer given to unstarred question 148 at the meeting of the 4th July last it was stated that further inquiry would be made whether the existing

orders regarding the handcuffing of under-trial prisoners required to be supplemented in any way. The rules have since been revised so as to direct that degree only of restraint to be used which may be necessitated by the circumstances of each case. A copy of the revised rules is placed on the library table.

Recruitment to Indian Educational Service.

***XII. Mr. BIJOY PROSAD SINGH ROY:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether the Government are considering the desirability of recruiting officers of the Indian Educational Service by direct nomination in India?

The Hon'ble Mr. P. C. MITTER: In accordance with views promulgated by the Government of India in March, 1920, it is intended that, in future, 50 per cent. of the annual vacancies in this service will be filled by Indians and a selection committee has been appointed to advise the Local Government in this regard. A further resolution about this committee will shortly be published.

With a few special exceptions the vacancies that have occurred in the service since 1914 have been filled by the promotion of Indian Officers of the Provincial Educational Service.

Pay and prospects of registration officers.

***XIII. Maulvi A. H. M. WAZIR ALI:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement regarding the pay and prospects of the officers of the Registration Department under the revised scheme?

The Hon'ble Mr. P. C. MITTER: The matter is still under the consideration of Government, and the required statement cannot therefore be furnished.

Legislative Council Chamber.

***XIV. Maulvi A. H. M. WAZIR ALI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Buildings) be pleased to state what steps are being taken for the speedy construction of the proposed new Council Chamber?

(*b*) Are the Government considering the desirability of taking up the matter at a very early date (if no steps have been taken) and of showing the estimated cost in the next annual budget?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) The designs received from England and India are now being judged.

Before the construction can be started estimates must be prepared, and for this purpose detailed drawings will be required.

The next stage after the preparation of estimates is the provision of funds.

(*b*) The question does not arise in view of what has been stated in answer to part (*a*).

Court-fee rates in the High Court and the Subordinate Courts.

***XV. Maulvi AZAHARUDDIN AHMED:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether there are any distinctions as regards the rates and the maximum amount of court-fees payable in respect of suits for money and title filed in the Original Side of the High Court and suits of the same nature filed in the mufassal courts of the Province?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state what those distinctions are?

(*c*) Will the Hon'ble the Member be pleased to state whether there are any distinctions as regards the rates and the maximum amount of court-fees payable in respect of appeals filed in the Appellate Side of the High Court from suits for money and title decided in the Original Side of the High Court and appeals filed in the same Appellate Side from suits of the same nature decided in the mufassal courts?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble the Member be pleased to state what those distinctions are?

(*e*) Is it a fact that in certain cases of a first appeal, the litigants who have to originate their suits in mufassal courts have to pay Rs. 6,000 in court-fees; whereas the litigants who are entitled to and originate their suits in the Original Side of the Calcutta High Court have to pay only Rs. 20 in court-fees though in both instances the suits are exactly of the same nature?

(*f*) Is it a fact that the mufassal litigants in cases where a second appeal is allowed, have to pay the same amount of *ad-valorem* court-fees three times over?

(*g*) Are the Government contemplating taking any steps in order to place the litigants of the two classes on a footing of equality in this matter?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) and (*c*) Yes; this is so

(*b*), (*d*), (*e*) and (*f*) The member is referred to the Court-fees Act of 1870 and the schedules of court-fees attached thereto, and to the rules framed by the Full Court and sanctioned by the Governor-General in Council, published in the *Gazette of India* of 14th February, 1914, at page 446 *et seq.*

(*g*) The question of increasing the existing rates of court-fees is under the consideration of the Government.

Tax on imported liquor.

***XVI. Mr. S. M. BOSE:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state separately the quantity of liquor imported into Bengal by sea and by rail during the year ending 31st March, 1921?

(*b*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the foreign liquor imported by sea into Bengal pay a duty lower than that imposed on liquor in England?

(*c*) Are the Government considering the desirability of levying a small excise duty on the foreign liquor for the purposes of revenue?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) The total import, by sea, of liquors into Bengal was as follows during the year 1920-21:—

Ale, Beer and Porter and other fermented liquors, 740,015 bulk gallons; Brandy, Whisky, Gin and Rum and other sorts of Spirits and Liqueurs, 619,501 bulk gallons; and Wines, 117,154 bulk gallons.

There are no figures to show imports of liquor into Bengal by rail.

(*b*) The answer is in the affirmative.

(*c*) Government are already considering the question.

Supplementary answer to clause (c) of starred question No. XXI by the Hon'ble the MAHARAJADHIRAJA BAHADUR OF BURDWAN *regarding the transfer of the Cinchona Department in Bengal, with its plantations and factory, to the control of the Government of India, asked by* MR. S. M. BOSE *at the meeting of the Council, held on the 29th August, 1921.*

The Government of India in reply to a reference have intimated that they have abandoned the proposal to take the Bengal Cinchona Department under imperial control.

Unstarred Questions

(answers to which were laid on the table).

Quarters for circle officers in mufassal villages.

1. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that, as laid down in the

District Administration Committee's report, circle officers will soon be asked to live in the mufassal villages?

(b) If so, is it in the contemplation of the Government to provide them with quarters befitting their position, prestige and dignity?

(c) Is the Hon'ble the Minister aware that houses are not available for hire in mufassal villages, and that in many places, where the Hindu population predominates, it is impossible for a non-Hindu officer to get a house?

The Hon'ble Sir SURENDRA NATH BANERJEA: (a) and (b) It is the intention of Government that circle officers should reside in their circles and that, where these contain a subdivisional quarters, the circle officer should not reside there if there is a suitable place for his residence elsewhere in the circle. It is also the intention of Government eventually to provide quarters for circle officers but this is not possible at present and they have consequently been given house allowances. It has been ascertained that all but eleven at present reside at district and subdivisional headquarters, and now that the Member has drawn attention to the matter, orders will issue that they should endeavour to secure without delay residences elsewhere in their circles.

(c) Government have no definite information.

Muhammadan circle officers.

2. Nawabzada K. M. AFZAL, Khan Bahadur: (a) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the percentage of the Muhammadan and non-Muhammadan population of a subdivision is taken into consideration in appointing circle officers?

(b) Will the Hon'ble the Minister be pleased to lay on the table a statement showing the numbers of Muhammadan and non-Muhammadan circle officers, subdivision by subdivision in each district, appointed since the introduction of the *panchayati* and union board systems, and also the Muhammadan and non-Muhammadan population thereof?

(c) If the answer to (a) is in the negative, are the Government considering the desirability of appointing circle officers in proportion to the percentage of the Muhammadan and non-Muhammadan population?

The Hon'ble Sir SURENDRA NATH BANERJEA: (a) The answer is in the negative.

(b) A statement is laid on the table. The member is referred to pages 414-45 of the Census Tables of 1911 (Part II of the Bengal Census Report), for the Muhammadan and non-Muhammadan population in each subdivision. Figures for 1921 are not yet available.

(c) The answer is in the negative.

Statement referred to in the reply to clause (b) of unstarred question No. 2, showing the number of Circle Officers appointed since the introduction of the Panchayati and Union Board systems.

District.	Subdivision.	Number of Circle Officers.		Total.
		Muhammadan.	Non-Muhammadan.	
Burdwan ...	.....	Nil	10	10
Birbhum ...	Sadar ...	1	5	6
	Rampurhat ...	Nil	2	2
Bankura ...	Sadar ...	Nil	4	4
	Vishnupur ...	1	1	2
Midnapore ...	Sadar ...	1	2	3
	Contai ...	Nil	1	1
	Ghatal ...	Nil	2	2
	Tamluk ...	Nil	2	2
Hooghly ...	Sadar ...	1	1	2
	Serampore ...	Nil	3	3
	Arambagh ...	1	3	4
Howrah .	Sadar ...	Nil	1	1
	Uluberia ...	1	1	2
Nadia ...	Sadar ...	Nil	1	1
	Ranaghat ...	1	Nil	1
Murshidabad ...	Sadar .	Nil	Nil	Nil
	Lalbagh ...	1	1	2
	Kandi ...	Nil	3	3
	Jangipur ...	1	Nil	1
Khulna ...	Sadar ...	1	1	2
	Bagerhat ...	Nil	1	1
	Satkhira ...	Nil	1	1

District.	Subdivision.	Number of Circle Officers.		
		Muhammadan.	Non-Muhammadan.	Total.
acca ...	Sadar ...	2	8	10
	Narainganj ...	2	1	3
	Munshiganj ..	2	6	8
	Manikganj ...	1	4	5
ymensingh ...	Sadar ...	Nil	2	2
	Jamalpur ...	Nil	1	1
	Kishoreganj ...	Nil	1	1
	Netrokona ...	Nil	1	1
	Tangail ...	1	Nil	1
aridpur ...	Sadar ...	Nil	1	1
	Madaripur ...	Nil	2	2
	Goalundo	Nil	1	1
	Gopalganj ...	Nil	1	1
ittagong	.....	1	1	2
ippera ..	Sadar ..	4	5	9
	Brahmanbaria ...	5	4	9
	Chandpur .	4	4	8
oakhali ..	Sadar ...	1	Nil	1
	Feni ...	1	1	2
ajshahi ...	Sadar ...	Nil	1	1
angpur ...	Sadar ...	1	2	3
	Nilphamari ...	1	Nil	1
	Gaibandha ...	Nil	1	1
	Kurigram ...	Nil	1	1
ogra ...	Sadar ...	2	3	5
Total ...	.....	38	98	136

NOTE.—No Circle Officer has yet been appointed in the districts of the 24 Parganas, Jessore, Bakarganj, [illegible] [illegible]pur, Jalpaiguri, Patna and Malda.

Filtration in waterworks.

3. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that in several water-works in Bengal the filtration of water is not properly and efficiently carried out?

(*b*) Are the Government considering the desirability of taking any steps in the matter?

(*c*) Is it a fact that in the case of some of the water-works recently started, the price of the filter used is paid to the Filter Companies without any examination of the filtered water in the Government Laboratory?

(*d*) Are the Government considering the desirability of making an inquiry in the matter and of laying the results of such inquiry on the table?

(*e*) Is it a fact that the Director of Public Health, Bengal, has expressed the opinion that the usual methods of starting waterworks are unsuited to Bengal as they are too costly?

(*f*) Is it a fact that he has suggested to the Government the desirability of inquiring into the feasibility of introducing cheaper methods of water filtration? If so, what steps are the Government taking in the matter?

(*g*) Will the Hon'ble the Minister be pleased to state what amount of money Government have spent during the past 5 years on rural water-supply in the province?

(*h*) Is it the practice to examine bacteriologically in the Government Laboratory the Septic Tank effluents?

(*i*) If so, what are the results of such examination during the year 1920?

(*j*) In how many cases are the effluents sterilised?

(*k*) Will the Hon'ble the Minister be pleased to lay on the table the record of such examinations undertaken during the year 1920 as well as in connection with the inquiry into river pollution?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) Filtration is on the whole effectively carried out in the larger water-works but is sometimes defective in the smaller water-works. This is specially the case where the type of slow sand filter, known as the Faridpur filter, is in use. This filter suffers from a radical defect of design for, as there is no storage above the filter, the rate of flow cannot be kept constant, and when the discharge on to the filters from the pump is stopped the water in the former runs away until the bed is exposed. This system is opposed to the correct principles of slow sand filtration, and in fact the analyses made throughout a period of many years in the laboratory of the Director of Public Health have shown that good results are not generally achieved by this type of filter.

The results of filtration in the smaller water-works are not infre-
atly unsatisfactory owing to the superintendents and mistris in
ge being inexperienced and not very intelligent The pay given at
e works is not sufficient to attract well qualified men; and the remedy
this lies in the hands of the local bodies themselves When the
erintendents are better paid the works will be better managed In the
ntime, however, an improvement can be effected by more frequent
ections by practical experts in water-works management and filtra-
The Chief Engineer, Public Health Department, has accordingly
mitted proposals for an increase in his water-works inspecting staff,
h are under consideration It should be added that inefficient fil-
ion is also sometimes caused by bad management in the case of
er works, and it will be within the memory of the member that a
years ago the water-works at Hooghly-Chinsura were on the verge
breakdown owing to this cause

(c) No Filters are never paid for till the filtered water has been
mined in the Bengal Public Health Laboratory

(d) No

(e) No such statement has been traced but it has been ascertained
, in a note which he laid before the Sanitary Board, Dr Bentley
arked " The question of capital expenditure on municipal water-
ks is very important, in view of the fact that the chief obstacle to
iding pure water-supplies is the high initial expenditure usually
uired " He also observed in this note " There is at present
ent need for extending the supply of pure water to municipal and
r areas in Bengal But financial difficulties are the chief obstacle "

(f) In the note above referred to Dr Bentley advocated the installa-
of filters of the Faridpur type in combination with tanks He added,
There tanks are either not available or are not suited to the needs of
people, it might be possible to make use of shallow wells, in com-
ation with Faridpur filters, and in other places deep tube wells,
ch have been recently found to afford in many cases an ample supply
good quality water at a relatively low cost may be found to afford a
tion of the difficulty "

It is understood that this note was laid before the Sanitary Board
that the Board did not accept Dr Bentley's views about the value
Faridpur filters Proposals for the purchase of a boring plant and
employment of staff for sinking tube wells have been submitted to
ernment by the Chief Engineer, Public Health Department, and are
under consideration

(g) The provision of water-supply in rural areas is a matter for the
l bodies and Government do not spend any money directly on this
ct, but they have given grants to the District Boards, and have
handed over to them the receipts of the public works cess for the
rovement, among other things, of the sources of water-supply in
al areas.

(*h*) No. The effluents are only examined chemically.

(*i*) This does not arise.

(*j*) The latest reports of the Inspectors of septic tank installations show that the effluents of four septic tanks are properly sterilised.

(*k*) Government regret that they are unable to lay copies of the reports of the different analyses on the table as an undue amount of labour and expense would be involved in copying and printing them.

Quinine treatment for malarial fever.

4. Rai LALIT MOHAN SINGH ROY Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether he is aware that opinions have from time to time been expressed that quinine has had no permanent curative effect in cases of malarial fever, and that it allays only temporarily at the cost of the health of the patients?

(*b*) Have the Government any recorded statistics showing the results of quinine treatment in malarial fever?

(*c*) Have the Government experts expressed any opinion on the mosquito theory of malaria? If so, will the Hon'ble the Minister be pleased to lay the same on the table?

(*d*) Has any other theory been advanced to account for this disease? If so, have the Government experts recorded an opinion on it? If so, what?

(*e*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing for the last three years the income from, and the expenditure on, the cultivation and distribution of quinine?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Yes.

(*b*) The results of quinine treatment in malarial fever have been given in many publications and it would involve undue labour to compile statistics from them.

(*c*) The member is referred to the brief summary of known facts regarding malaria issued by the Public Health Department of which a copy is laid on the table.

(*d*) The member is referred to the last two sentences of the first paragraph of the summary.

(*e*) The figures are as follows:—

	Net revenue.		Total expenditure.		Net surplus.	
	Rs.	A.	Rs.	A.	Rs.	A.
1918-19 ...	13,46,544	8	11,78,238	5	1,68,306	3
1919-20 ...	18,20,479	14	12,80,877	11	5,39,602	2
1920-21 ...	10,84,489	1	3,22,311	5	7,62,177	12

Brief summary of known facts regarding malaria referred to in the reply to clause (c) of unstarred question No. 4.

Historical summary.—Malarial disease was well-known to the ancients. It is referred to by early Greek and Roman writers, and a description of it is to be found in one of the oldest Hindu Tantras. It was known even in those early days as a fever which often began with shivering and passed off with sweating, which tended to recur at fixed intervals and which was often accompanied or followed by splenic enlargement, anæmia and dropsy. And the earliest observers remarked the frequency with which it occurred in the neighbourhood of marshes and the fact that its prevalence diminished with the extension of cultivation. Until comparatively modern times no remedy for malarial disease was known and the extraordinary number of famous people recorded in history as dying from it is a striking commentary upon the powerlessness of physicians to treat it, prior to the discovery of cinchona bark about the year 1640. This drug, which enabled physicians for the first time to treat malaria with success, also helped them to diagnose it and after its introduction fevers came to be divided into two classes: malarial, those which yielded to cinchona, and non-malarial, those which did not. During the 18th and 19th centuries although there was much speculation about malaria and some research into its origin and numerous observations relating to the epidemiology of the disease were recorded by medical men in all parts of the world its exact etiology remained obscure until the discovery of the malarial organism by Laveran in 1880 and the working out of the mosquito cycle of the parasite by Ross in 1897-98. As a result of these discoveries the old speculative theories which had been invented to account for malaria and which ascribed the disease to miasmata from swamps, bad water or peculiar emanations from the soil have now been entirely abandoned.

The nature of malaria. We now know beyond a shadow of doubt that malarial disease results from the presence in the blood of a minute unicellular animal parasite much too small to be seen by the naked eye and that this parasite is spread from infected to healthy persons by the agency of certain species of mosquitoes. There are three distinct species of the malarial organism in which are associated with quartan, benign tertian and malignant tertian fever respectively. After having been introduced into the blood of man by the bite of an infected anopheles mosquito these little organisms feed upon and destroy the red corpuscles and having attained maturity produce a new generation by fission, each parasite splitting up into a number of small spores which, in their turn attack red blood corpuscles, enter them, grow to maturity and then divide up into spores. This cycle of development, which takes from 48 to 72 hours according to the species of parasite, goes on more or less continuously in the blood stream of an infected person. At first when the number of parasites is small no inconvenience is felt from their presence, but when their number has greatly increased the patient is made aware of it by the train of symptoms which constitute an attack of malarial fever. In typical intermittent fever an attack is ushered in by a sensation of chill or sudden shivering, the temperature rises rapidly, remains high for a time, and then declines, the decline being accompanied with sweating. Thereafter the patient remains free of all symptoms for a short period, which varies from a few hours to as much as two days in the case of quartan malaria, at the expiry of which the symptoms recur, only to pass off and recur again and again with almost clock-work regularity until checked by treatment or subdued by the natural rallying powers of the body. By examining the blood during all stages in an attack of fever it has been found that the onset of the symptoms corresponds with the splitting up of mature parasites (of which there must probably be many millions present in the body) into generation of young forms. And the shock produced upon the blood vessels

by the sudden setting free within them of millions upon millions of young parasites causes them to shrink or contract, the sensation of chill or the shivering being the result of this. While the young parasites are attacking and entering red blood corpuscles the fever continues, but it subsides with profuse sweating and the patient experiences much relief when the young parasites, each having settled down in the interior of a captured blood cell, are occupied with feeding on their prey and preparing for the processes of reproduction. Although the parasites of malaria give rise to disease, we must disabuse our minds of the idea that they do so by intent. The malarial organism is an animal actuated by the same instincts which impel all living things to seek for food and to reproduce their species. And malarial disease is really an accident in the course of a parasitic invasion, the consequences of which may be as serious to the parasite as to its host; for a fatal attack of malarial fever leads to the destruction of the parasites which cause it, as well as to the death of the patient; and if all acute attacks of malaria were to prove fatal, the malarial organism would soon become extinct. But for every case dying from a primary attack of fever there are thousands who suffer from a long sequence of relapse, and though a large proportion eventually recovers even without treatment, if conditions are favourable many fall victims to some intercurrent disease. And in times of special hardship and privation the recoveries diminish and the mortality increases.

Tolerance or immunity. In many cases of malarial infection a relative tolerance of the malarial parasite is established, and when this occurs comparative immunity from disease ensues. An almost complete tolerance of malaria is to be met with among the indigenous races in some parts of Africa, New Guinea, India and other countries. In the areas where this occurs nearly 100 per cent. of the young children usually harbour malarial parasites, but in spite of this fact the majority show no symptoms beyond enlargement of the spleen and rarely suffer from malarial disease unless exposed to privation. The splenic enlargement also usually diminishes as they grow older and adults are generally free of it. But although the indigenous inhabitants of these localities suffer very little, these places are always exceedingly dangerous for new-comers, who invariably contract infection very quickly, and suffer severely. Tolerance of malaria is not so easily established in places where the chance of infection is not excessive and in moderately malarious regions the inhabitants, both children and adults, often suffer from fever and its sequelæ. It is most important to remember that communities may remain relatively free of malarial disease under almost opposite conditions, so the one hand because of the rarity of infection, and on the other hand by reason of infection being so common that almost every one becomes tolerant of it.

The mechanism of infection. In addition to the asexual forms of the malarial parasite which are directly associated with an attack of fever, other forms exist whose presence in the blood gives rise to no symptoms. These forms do not appear during a primary infection until after the cessation of the initial attack of fever. But when once they have appeared in the blood they usually persist for a considerable time. Their exact significance was not at first understood. But Ross after prolonged research showed that they were sexual forms of the parasite, now known as gametocytes, that when taken into the stomach of certain species of anopheles mosquitoes they pass through a complete cycle of development, the female gametocyte being fertilised by the male, encysting itself in the tissues of the mosquito and after some days producing myriads of minute spores, many of which eventually find their way into the poison glands of the insect, which then becomes able to inoculate malaria into anyone whom it may bite. It is by this infection of anopheles mosquitoes that the malarial parasite perpetuates its species. For although it can exist for many months or even years in the blood of man, it is imprisoned there, and without the intervention of the mosquito it could neither escape nor pass to another host, and would be exposed to the risk of extinction.

presence of gametocytes in the blood of an infected person is evidence also o parasites having suffered a partial reverse, which has forced them to assume defensive and prepare a line of retreat so that the species may escape destruc

As long as they are in the blood of man gametocytes are quiescent, and g to this they do not attract the same attention from the phagocytes as the active forms of the parasite do and in consequence are not so often attacked destroyed They are thus enabled to remain for long periods in the circulation ting a chance of escape And this chance occurs when a female anopheles mos of a suitable species sucks the blood of the infected person And because the quito has wings and is impelled at intervals to seek water in which to lay eggs llows that by the time the malarial parasite has completed its development in body and sporozoits are present in her poison glands (a process which occupies ast 10 days) she is almost certain to have left the house in which she contracted tion And as there is a good chance of her being brought into contact with mber of different people after she has become infected the gradual dissemin n of malaria is assured wherever there are infected persons among the popu n and susceptible species of anopheles mosquitoes in the vicinity

Malaria Prevention.—*Bonification* "Setting aside the great advance that accrued to our knowledge since the discovery of the connection between quitoes and malaria yet even prior to this there were few infectious diseases oroughly under control in regard to their avoidance as malaria It was the ral activity of the race that converted severely infected, death dealing malaria into salubrious thickly inhabitated territories and it was the devastations arbaric hordes that changed these fertile fields to their original condition general prophylaxis of malaria could up to the discovery of the mosquito ral cycle, be stated in one word 'cultivation,' and this in a sense is still true ese old and well tried methods had this common aim, the regulation of the al moisture so as to promote fertility These regulations were to be accom d by cultivation without which the end was rarely attained The nd could not be left as a pasture but had to be systematically planted with , sugarcane eucalyptus etc The special properties of the soil and the climatic tions of the locality decided the choice of the plant These hygienic regulations ically produced extraordinary results The cultivation of the ground this the old standpoint might be designated as a second important factor ophylaxis It was well known that when cultivation is neglected even healthy ts pay the penalty of infection The extensive clearing of forests especially has n in its wake serious results for the neighbourhood In swamps where drain was impossible a regular level was aimed at especially during the summer ks by the regulation of the incoming and outgoing water, and by the building ms since it was not the stagnant covered with water, but that which was ately under water and exposed to evaporation which was (supposed to be) rous Exceptionally during even epidemic radical measures were under , as for instance the copious flooding of malarial foci This was first put into ice by Empedocles, later by Lancisi"

as brief summary extracted from the pages of Professor Mannaberg's well- n treatise on malaria gives in broad outline the principles which governed the prevention in the days before the discovery of malaria parasite and the ntocycle of infection This system of combining measures for the reduction laria with those for the improvement of agriculture has become known in Italy, s it has been extensively employed as "Bonificazione," but numerous and sive operations embodying the same principles have been brought to a successful sion in every part of the globe And although agricultural profit has been the diate end in view more often than sanitary improvement, the reduction of mala- nt has resulted has often been astonishing The successful reduction of mala- Great Britain, Belgium and Holland and many other parts of Europe has been

brought about by "bonification," although it has not been customary to speak of the work under that name. And in India the restoration of Tanjore and the Godaveri delta areas, threatened at one time with ruin and depopulation, are equally deserving of notice as examples of successful bonification.

Mosquito reduction.—The success of bonification as an anti-malarial measure depends very largely upon the action of two factors—(*a*) increase of the human population, and (*b*) reduction of anopheles mosquitoes. But where conditions are suitable, as in most towns, and in other situations specially favourable to the success of such work, malaria may be attacked with good results by measures specially designed only for reducing the number of mosquitoes and aimed solely at bringing this about. Sir Ronald Ross was the originator of this method of attacking malaria, and he has never ceased to urge its adoption. It has been employed with striking success against malaria at Ismailia and with excellent results against yellow fever at Panama, Havana, Rio-de-Janeiro and other places. It is beyond question the best anti-malarial measure for towns, and it will sooner or later be adopted as part of the sanitary routine of all infected urban areas.

Quinine. The proper treatment of cases of malaria with quinine, which is the most efficient of the alkaloids extracted from the cinchona bark, diminishes the spread of infection among a population very greatly. Adequate quinine treatment may be considered therefore an effective method of malaria prevention. It has been found as the result of long experience also that people can protect themselves from actual attacks of malarial fever with considerable success by taking small doses of this drug when they are obliged to risk exposure to infection in places where malaria is prevalent.

Protection from mosquitoes. Before Ross's discovery that mosquitoes carried malaria, experience had shown that the use of mosquito nets often diminished the chances of contracting malaria. And protection from mosquitoes either by the use of nets, wiregauze screens or specially designed mosquito-proof houses is now recognised as one of the most efficient means of preventing malaria. But as in the case of quinine, the success of this measure depends very greatly upon the intelligence of those who use it, and it is not very successful among illiterate or poorly-educated classes unless they are subject to some sort of control.

Administration of civil justice in the Alipur Duars.

5. Rai Sahib PANCHANAN BARMA: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table the reports made since 1900 by the District Judges concerned to the Hon'ble High Court on the administration of civil justice in the Alipur Duars in the district of Jalpaiguri, and also the memorial submitted by the people of the Alipur Duars subdivision to His Excellency the Governor of Bengal for placing the administration of civil justice in the hands of a regular munsif?

The Hon'ble Sir ABD-UR-RAHIM: Relevant extracts from the reports for the years 1906 to 1920 are only available and these, together with a copy of the memorial submitted by the people of Alipur Duars to His Excellency the Governor, are laid on the table.

Extracts from the Reports to the High Court, Appellate Side, on the administration of Civil Justice in the District of Dinajpur during the years 1906-20 referred to in the reply to unstarred question No. 5.

1906-07.—In the Court of the Munsif at Alipur Duars 95 suits were instituted and 149 disposed of during the last seven months of the year, and 43 suits remained pending at the close of the year. Of the suits instituted 75 were suits for money or moveables, 8 were suits under the Rent Law and 12 were title and other suits.

1907-08.—In the Court of the Munsif of Alipur Duars 235 suits were instituted in the past as against 95 in the seven months of the year previous. Of the suits instituted 184 were suits for money or moveables, 30 were suits under the Rent Law and 21 were title and other suits in the past as against 75, 8 and 12, respectively in the seven months of the previous year. Two hundred and eighteen suits were disposed of in the last year as against 149 in the seven months of the previous year and 63 suits remained pending at the close of the last as against 33 at the close of the previous year.

1908-09.—In the Court of the Munsif of Alipur Duars 200 suits were instituted in the last as against 235 in the previous year. Of these, 144 were suits for money or moveables, 22 were suits under the Rent Law and 34 were title and other suits in the past as against 184, 30 and 21, respectively in the previous year. Two hundred and one suits were disposed of in the last as against 218 in the previous year and 61 suits remained pending at the close of the last as against 63 at the close of the previous year.

1909-10.—In the Court of the Munsif of Alipur Duars 201 suits were instituted in the last as against 200 in the previous year. Of these, 131 were suits for money or moveables, 16 were suits under the Rent Law and 54 were title and other suits in the past as against 144, 22 and 34, respectively in the previous year. Two hundred suits were disposed of in the last as against 201 in the previous year, and 72 suits remained pending at the close of the last as against 61 at the close of the previous year.

1910-11.—In the Court of the Munsif of Alipur Duars 42 tsuits were instituted in the last as against 201 in the previous year. Of these 190 were suits for money or moveables, 43 were suits under the Rent Law and 43 were title and other suits in the past as against 131, 16 and 54, respectively, in the previous year. Two hundred and thirty-six suits were disposed of in the last as against 200 in the previous year, and 116 suits remained pending at the close of the last as against 72 at the close of the year preceding.

1911-12.—In the Court of the Munsif of the Alipur Duars 426 suits were instituted in the last as against 276 in the previous year. Of these 282 were suits for money or moveables, 97 were suits under the Rent Law and 47 were title and other suits in the past as against 190, 43 and 43, respectively, in the previous year. Two hundred and sixty suits were disposed of in the last as against 236 in the previous year, and 288 suits remained pending at the close of the last as against 116 at the close of the year preceding.

1912-13.—In the Court of the Munsif of Alipur Duars 453 suits were instituted in the last as against 426 in the previous year. Of these, 269 were suits for money or moveables, 133 were suits under the Rent Law and 51 were title and other suits in the past as against 282, 97 and 47, respectively in the previous year. Five hundred and seventy-seven suits were disposed of in the last as against 260 in the previous year, and 185 suits remained pending at the close of the last as against 288 at the close of the previous year.

1913-14.—In the Court of the Munsif of Alipur Duars 440 suits were instituted in the last as against 453 in the previous year. Of these, 269 were suits for money or moveables, 104 were suits under the Rent Law and 67 were title and other suits in the past as against 269, 133 and 51, respectively, in the previous year. Five hundred and forty-seven suits were disposed of in the last as against 577 in the previous year, and 96 suits remained pending at the close of the last as against 185 at the close of the previous year.

1914-15.—In the Court of the Munsif of Alipur Duars 431 suits were instituted in the last as against 440 in the previous year. Of these, 296 were suits for money or moveables, 81 were suits under the Rent Law and 54 were title and other suits in the past as against 269, 104 and 67, respectively, in the previous year. Four hundred and fifty-three suits were disposed of in the last as against 547 in the previous year, and 110 suits remained pending at the close of the last as against 96 at the close of the previous year.

1915-16.—In the Court of the Munsif of Alipur Duars 446 suits were instituted in the last as against 431 in the previous year. Of these, 294 were suits for money or moveables, 106 were suits under the Rent Law and 46 were title and other suits in the past as against 296, 81 and 54, respectively, in the previous year. Four hundred and forty-two suits were disposed of in the past as against 453 in the previous year, and 148 suits remained pending at the close of the last as against 110 at the close of the previous year.

1916-17.—In the Court of the Munsif of Alipur Duars 644 suits were instituted in the past as against 446 in the previous year. Three hundred and sixty-three of these suits were for money or moveables, 231 under the Rent Law and 50 were title and other suits in the last as against 294, 106 and 46, respectively, in the preceding year. Seven hundred and thirty-six were disposed of in the last as against 442 in the previous year, while 77 remained pending at the close of the last as against 148 at the close of the previous year.

1917-18.—In the Munsif's Court at Alipur Duars 514 suits were instituted in the past as against 644 in the previous year. Three hundred and ten of these were suits for money or moveables, 126 suits under the Rent Law and 78 were title and other suits in the past as against 363, 231 and 50, respectively, in the previous year. Five hundred and thirty-seven suits were disposed of in the past as against 736 in the previous year, while 89 suits remained pending at the close of the past as against 77 at the close of the previous year.

1918-19.—In the Munsif's Court at Alipur Duars 499 suits were instituted in the past as against 514 in the previous year. Two hundred and sixty-two of these were suits for money or moveables, 178 suits under the Rent Law and 59 were title and other suits in the past as against 310, 126 and 78, respectively, in the previous year. Five hundred and fifty-eight suits were disposed of in the past as against 537 in the previous year, while 70 suits remained pending at the close of the past as against 89 at the close of the previous year.

1919-20.—In the Munsif's Court at Alipur Duars 629 suits were instituted in the past as against 499 in the previous year. Four hundred and thirty-two of these were suits for money or moveables, 143 were suits under the Rent Law and 54 were title and other suits in the past as against 262, 178 and 59, respectively, in the previous year. Six hundred and forty suits were disposed of in the past as against 568 in the previous year, while 111 suits remained pending at the close of the past as against 70 at the close of the previous year.

1920-21.—In the Munsif's Court at Alipur Duars 540 suits were instituted in the past as against 629 in the previous year. Three hundred and eighteen of these were suits for money or moveables, 167 were suits under the Rent Law and 55 were title and other suits in the past as against 132, 143 and 54, respectively, in the previous year. Five hundred and two suits were disposed of in the past as against 640 in the previous year, while 181 suits remained pending at the close of the past as against 114 at the close of the previous year.

Memorial referred to in the reply to unstarred question No. 5.

His Excellency the Right Hon'ble
Lawrence John Lumley Dundas, Earl of Ronaldshay, G.C.I.E.,
Governor of Bengal.

The humble memorial of the undersigned inhabitants of the Alipur Duars subdivision, within the district of Jalpaiguri.

Most respectfully sheweth.

That the vast population of the whole of India are now enjoying many privileges and various sorts of advantages under the benign British rule and the Reforms recently inaugurated.

That your humble memorialists are labouring under a great disadvantage regarding the administration of civil justice.

That since the annexation of the Western Duars by the British Raj, the subdivisional magistrate of Alipur Duars alone for a long time and in recent years the subdivisional magistrate and a sub-deputy magistrate have been trying civil suits including title suits, small cause court suits, etc., which are done throughout Bengal by munsifs.

That at the time of annexation from Bhutan, this part of the country was almost covered with jungles and infested with wild animals, but since then, under the British administration, the condition has improved in every way. The population has increased considerably, almost all lands have been settled with tenants and brought under cultivation, the value of lands has necessarily increased to a great extent, the sanitary condition has also improved, the establishment of a high English school at the headquarters and primary schools in all localities in the mufassal have enlightened the people considerably, the hill tribes have migrated to other places, and people from Rangpur and Jalpaiguri Sadar have been settled here, the openings of railways and roads throughout the subdivision have afforded the people opportunities for easy communication and facilities for conducting all sorts of business and traffic, when in all directions this subdivision is making improvements, there is no reason why civil administration of justice should lag behind.

That owing to constant changes of the sub-deputy magistrate who is the second officer here, a considerable number of civil suits remain in abeyance until the new officer is vested with the power to try civil suits by the Honourable High Court.

That during the last twelve months after the transfer of Babu Hari Charan Banerjee, Babu Rajendra Nath Gupta, Babu Shyamananda Banerjee and Maulvi

Abdul Sattar, sub-deputy magistrates, were successively posted here as second officers, and on every change two or three months elapsed when the new incumbent was empowered by the Honourable High Court to try civil suits.

That the practice of civil suits being tried by magistrates has been a failure for the following reasons:—

(a) That the subdivisional magistrate being touring officer and being already overworked with criminal and revenue matters hardly finds time to attend regularly to civil matters.

(b) That the second officer is also the treasury officer and he has to do lots of criminal cases. For these reasons civil cases are unnecessarily adjourned and the parties harassed to their great inconvenience and loss.

(c) That a perusal of the appellate judgments of the Alipur Duars subdivision for the last three years will speak for itself how civil work is administered here.

That Mr. K. N. Roy, late District Judge of Rangpur, inspected the Alipur Duars subdivision in 1903, and Mr. F. A. Ezechiel, District Judge of Rangpur, inspected in 1905, from the remarks of both these gentlemen it would appear that civil administration at Alipur Duars was administered in the most irregular way. The condition of the subdivision has considerably improved, since the inspections above referred to, in every way except administration of civil justice. That a perusal of the whole of the inspection reports above referred to and a consideration of the present circumstances will convince your Excellency that there is urgent necessity of posting a regular munsif here.

That the Government income from the sale of court-fees used in civil cases alone in the year 1920 exceeded Rs. 10,000. The number of civil suits (money, title, etc.) instituted in the year 1920 is 569, non-judicial miscellaneous 51 and execution 226, total 846. Though, on the face of the record, the number seems small in comparison with the number of suits instituted in the other subdivisions of Bengal, the number is small not because for want of causes of action and not because the people of this division do not come to court for redress of real and true causes but for want of facilities and for want of speedy and legal disposal of suits. Had an opportunity been given to them, your humble memorialists believe the number would have been at least four times that now in the record, inasmuch as all aggrieved people would come to court for redress which now they reluctantly abandon for want of facilities.

That the same law prevails throughout the Western Duars which consists of twelve parganas, five of which, viz., North Mainaguri, South Mainaguri, Chengmari, Ambari-Falakata, and Magrahat are within the jurisdiction of Jalpaiguri Sadar and are thereby enjoying salutary privileges of regular munsifi administration while the other parts (of the same Western Duars), viz. parganas Lukxipur, East Madari, West Madari, Chukulheti, Buxa, Bhatibari and Volka, though similarly circumstanced, are deprived of the above privileges, only because they fall within the jurisdiction of this subdivision. That therefore your humble memorialists may legitimately claim the advantages of a munsif along with the sister parganas.

That your Excellency's humble memorialists most respectfully enter a strong protest against the system of civil suits being tried by magistrates, and pray that the same should cease at once, and a regular munsif be posted here at an early date. That your Excellency will be graciously pleased to allow your humble memorialists to enjoy a privilege which is being enjoyed throughout Bengal and thus remove a long-felt grievance.

And your humble memorialists as in duty bound shall ever pray.

Post and telegraph offices in thanas and unions.

6. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Member in charge of the Police Department be pleased to state the names of the thanas which have got no telegraph office, and the names of the unions, in the jurisdiction of which there is not even a post office?

The Hon'ble Sir HENRY WHEELER: A list of the police-stations in Bengal is placed on the library table. It shows at which police-stations there is a telegraph office.

A statement is laid on the table showing the total number of unions and the number of unions in which there is no post office. It is not considered necessary to print the names of the 4,466 unions in which there is no post office, but the names will be shown to the member if he desires.

Statement referred to in the reply to unstarred question No. 6, showing the total number of unions and the number of unions in which there is no post office.

	Total number of unions		No. in which unions in which there is no post office	
	Checked by Union	Checked by Thana	Checked by Union	Checked by Thana
PRESIDENCY DIVISION—				
24-Parganas ..	289	..	266	.
Nadia	336	..	231	.
Murshidabad	187	...	119	...
Jessore	257	...	126	..
Khulna	112	79	87	26
Total for the Division ...	1,181	79	749	26
BURDWAN DIVISION—				
Burdwan	63	165	34	17
Birbhum	3	171	3	108
Bankura	239	..	158	...
Midnapore	145	227	104	172
Hooghly	..	207	..	79
Howrah	...	82	.	36
Total for the Division ...	448	852	299	442

	Total number of Unions		Number of Unions in which there is no post office.	
	Chaukidari Unions.	Union Boards.	Chaukidari Unions.	Union Boards.
Dacca Division—				
Dacca	198	130	106	31
Mymensingh	772	...	558	...
Faridpur	246	58	180	6
Bakarganj	489	...	332	...
Total for the Division .	1,705	88	1,176	37
Chittagong Division—				
Chittagong	292	.	198	...
Tippera	...	253	...	133
Noakhali	112	37	71	23
Total for the Division ..	404	290	269	156
Rajshahi Division—				
Rajshahi	241	...	159	.
Dinajpur	323	..	267	...
Jalpaiguri	262	...	233	
Rangpur	359	...	278	
Bogra	132	...	96	...
Pabna	211	...	122	.
Malda	185	..	141	...
Darjeeling	24	...	16	..
Total for the Division ...	1,737	.	1,312	...

Provincial Totals

	Total number of Unions.	Number of Unions in which there is no post office.
(a) Chaukidari Unions	5,475	3,805
(b) Union Boards	1,409	661
Total ...	6,884	4,466

Calcutta Medical College: Hours of attendance of Surgeons and Physicians.

7. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(i) the hours of attendance at the Calcutta Medical College Hospital for the Principal, the Ophthalmic Surgeon, the Obstetric Surgeon, and other visiting Surgeons and Physicians;

(ii) which of those medical officers are allowed "private practice" and which "consulting practice" only, and

(iii) what is meant by "consulting practice" and how does it differ from ordinary private practice?

The Hon'ble Sir SURENDRA NATH BANERJEA: (i) The hours of attendance for all the teaching staff are 8 A.M. to 11 A.M., but they also attend in cases of emergency whenever asked to do so by the resident staff, while the Principal attends the hospital from 7 A.M. and again in the afternoon, as well as in the evening if required.

(ii) All are allowed private practice except the Principal who is allowed consulting practice only.

(iii) In the case of ordinary private practice a doctor attends a patient at his request or that of his friends or relatives, whereas in the case of consulting practice a doctor makes professional visits only when the physician in attendance on the patient asks him to do so for the purpose of consultation.

Sale of quinine through post offices.

8. Babu INDU BHUSHAN DUTTA: (a) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that the supply of quinine through the post offices is inadequate to meet the demands of the people?

(b) Is the Hon'ble the Minister aware that grave abuses are cropping up in some places in the sale of quinine through the post offices inasmuch as many local dealers buy up quinine from some post offices, and sell them retail at exorbitant rates?

(c) Is the Hon'ble the Minister aware that many petty tradesmen adulterate the post office quinine and sell them in separate tablets to the people in the mufassal?

(d) Are the Government considering the advisability of devising means of supplying a pure and sufficient quantity of quinine by improving the present arrangement and, in addition, by arranging sale in

sealed tubes through the civil surgeons of districts or through some other agency?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) No complaints about shortage of supplies have been received since the introduction of the present system under which every head office receives 20 boxes and every branch and sub-post office 10 boxes as a permanent advance. Every box contains 10 "treatments," *i.e.*, 20 tablets of 5 grains of quinine in glass tubes. This permanent advance is replenished on the postmaster remitting the value of half the consignment allotted to him. Provided therefore that there is no delay on the part of the postmaster, he should have 5 boxes in hand continuously.

(*b*) No such case has been brought to the notice of Government since the price of each treatment was raised, from 4 annas to 8 annas, in order to prevent practices of the kind referred to in the question. The former price was below the market price and it was necessary to prevent profiteering on the part of dealers who were suspected of buying up the treatments for sale at a largely enhanced price. Now that the member has drawn the attention of Government to the possibility of a recurrence of profiteering of this kind, inquiries will be made and Government will consider the question of raising the price again if it is found to be necessary in order to prevent profiteering.

(*c*) Government have no information but will make inquiries. To safeguard the public against adulterated quinine being sold to them as Government quinine, each tablet has a broad arrow stamped on it.

(*d*) The answer is in the negative. The Civil Surgeons' offices were formerly the agency for the distribution of quinine, but this system was abolished owing to its unsatisfactory results, *e.g.*, defalcations and thefts of quinine occurred, and there were continual complaints that the post offices did not get supplies regularly and that there were deficiencies in the quantities supplied.

Tolls on Rangram Ghat bridge in Kandi.

9. Babu SURENDRA NARAYAN SINHA: In continuation of my unstarred question with respect to the levy, by the District Board of Murshidabad, of tolls on the bridge of Rangram Ghat, in the Kandi subdivision of the Murshidabad district, at the meeting of 4th July last, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*a*) whether the cost incurred by the District Board, for the construction of the bridge at Rangram amounted to or was below Rs. 10,000;

(*b*) whether the toll imposed on the bridge of Rangram is for any of the purposes contemplated in section 86A, proviso clauses (*a*) to (*d*) of Bengal Act III of 1885;

(*c*) if not, under what circumstances authorised by what law or permission of the higher authorities, is the toll charged;

(*d*) whether the Hon'ble the Minister is aware of the great inconveniences, hardships, and troubles, the people in general and the cartmen in particular have to suffer owing to the restrictions put on them by the establishment employed on the bridge, and

(*e*) whether it is in the contemplation of the District Board to provide any permanent facility in the passage over the river by the construction of a regular *pucca* bridge in the place of a temporary bamboo bridge, and, if so, when is the scheme to be given effect to?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The facts as reported by the District Board are as follows. Up to 1917-18 the Rangram ferry was a transoceanic ferry. In 1918-19 the District Board spent Rs. 10,400 on a *pucca* causeway at the ferry and in order to recoup the outlay decided to declare the ferry to be a whole year ferry and to realise tolls for crossing the temporary bridge there. Since then tolls have been regularly imposed on persons using this bridge.

(*b*) No.

(*c*) The toll is realised under the Bengal Ferries Act in which the definition of a ferry includes a temporary bridge.

(*d*) It is reported that no hardship or trouble has been caused and that no restrictions are put on traffic by the establishment. In the dry season the river is fordable and tolls are realised only from persons who use the bridge and not from those using the ford.

(*e*) No.

Child mortality in Eden Hospital, Calcutta.

10. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is true that nearly one out of every six children born in the Bengali Labour Ward died in the Eden Hospital during the last 3 years?

(*b*) If so, how is this rate of infantile mortality in the Eden Hospital accounted for?

(c) What arrangement is there for taking postnatal care of the children born in the Eden Hospital?

The Hon'ble Sir SURENDRA NATH BANERJEA: (a) and (b) The total number of births among Bengali women in the Eden Hospital during 1920 was 708 of which 107 were still births (29 premature). The still births were practically all cases of women who had been many days in labour in the hands of midwives and others and who came into hospital as a last resort. The number of deaths among children born alive in the Eden Hospital was 29 out of 601 or an infantile mortality of 1 in 22. Details of these 29 deaths are given below:—

Living, but partially asphyxiated (not recoverable) .	9
Congenital syphilis ..	15
Diarrhœa (from inanition) .	5

The labour cases admitted to the Eden Hospital consist mainly of poor and homeless women, and the infantile mortality is due to the prevalence of syphilitic disease and to the poverty and insanitary surroundings of their lives.

(c) There are at present no arrangements for the postnatal care of the children born in the hospital. Practically all the mortality experienced is the result of antenatal disease and neglect which postnatal care cannot do away with. The Principal, Medical College Hospitals, is now working out a comprehensive scheme for the establishment of an extern clinic in connection with the Eden Hospital whereby on the receipt of notification of a pregnancy, every possible advice and help will be given to the mother during the last few months of her term of gestation.

Privilege leave to members of Bengal Judicial Service.

11. Maulvi FAZLAL KARIM: With reference to my unstarred question No. 61, asked at the meeting of the 29th August, 1921, will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether a final communication from the Government of India has been received on the subject referred to in the aforesaid question?

The Hon'ble Sir ABD-UR-RAHIM: The answer is in the negative.

Appointment of members of Bengal Judicial Service to the first grade District Judgeship.

12. Maulvi FAZLAL KARIM: With reference to my unstarred question No. 58 (b), asked ata the meeting of the 29th August, 1921

ll the Hon'ble the Member in charge of the Appointment Department pleased to state whether the Government contemplate taking any ps which would enable a member of the Bengal Civil Service (Judicial) obtain an appointment in the first grade of District Judges?

The Hon'ble Sir HENRY WHEELER: Promotions to the first grade District Judges are based on merit and seniority, and Government do t propose making any exception to this principle in favour of the ngal Civil Service.

The "Hoq-Katha."

13. Babu DEVENDRA LAL KHAN: (*a*) Is the Hon'ble the mber in charge of the Political Department aware of the publica-n of a periodical entitled "Hoq-Katha"?

(*b*) Will the Hon'ble the Member be pleased to state whether it a fact that the cost of its publication is borne by the Government?

(*c*) If so, will the Hon'ble the Member be pleased to state—

(*i*) how much has been sanctioned for the purpose, and under what head it is entered in the Budget;

(*ii*) the name of the gentleman who edits the paper, and the amount he receives as his salary or honorarium;

(*iii*) the object of such publication; and

(*iv*) whether the paper is sent free to any person by post, and if so, to whom?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Henry Wheeler): (*a*) Yes.

(*b*) No.

(*c*) Does not arise.

Lawyers suspending practice owing to non-co-operation.

14. Babu JOGENDRA KRISHNA ROY: Will the Hon'ble the mber in charge of the Judicial Department be pleased to state the mber of lawyers in each district of Bengal and in Calcutta who have pended practice owing to the non-co-operation movement?

The Hon'ble Sir ABD-UR-RAHIM: A statement containing the rmation required, as far as it can be ascertained, is laid on the table.

Statement referred to in the reply to unstarred question No. 14, showing the number of lawyers in Bengal who are reported to have suspended practice.

Districts.	Number of lawyers who have suspended practice.
Burdwan	1
Birbhum	...
Nadia	2
Bankura	1
Pabna and Bogra	13
Jessore	2
Khulna	7
Faridpur	12
Rajshahi	...
Murshidabad	...
Chittagong	8
Hooghly (including Howrah)	3
Tippera	3
Dacca	8
Noakhali	5
Midnapore	6
Rangpur	1
Dinajpur (including Darjeeling and Jalpaiguri)	1
Bakarganj	10
Mymensingh	16
24-Parganas	1
Calcutta	7

Alleged assault on a deputy magistrate by the subdivisional officer, Narayanganj.

15. Maulvi RAFI UDDIN AHMED: (*a*) Is the Hon'ble the Member in charge of the Appointment Department aware that during the middle of last June, the European subdivisional officer of Narayanganj assaulted a first class deputy magistrate in open court before subordinate clerks, members of the Bar and the parties in connection with the transfer of a criminal case?

(*b*) If so, are the Government taking any steps in the matter?

(*c*) If no action is proposed to be taken in the matter will the Hon'ble the Member be pleased to state the reasons?

The Hon'ble Sir HENRY WHEELER: (*a*) and (*b*) No.

(*c*) The alleged incident is now several months old. If the officer concerned desired to raise the question this could have been done before in the usual way.

Scheme for appointing probationers in the Judicial Service.

16. **Maulvi FAZLAL KARIM:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state when the scheme for appointing probationers in the Judicial Department is likely to be given effect to?

(*b*) What is the reason for the delay in the publication of the scheme?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) No definite statement can be made as the matter is still under consideration.

(*b*) The question of strengthening the cadre of the Bengal Civil Service (Judicial) is still under consideration, and until this is settled and sanctioned by the Government of India, the scheme for appointing probationers can not be drawn up.

Living wage of ministerial officers.

17. **Nawabzada K. M. AFZAL, Khan Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether the ministerial officers are whole-time servants of Government, and whether they are prohibited from entering into any other profession?

(*b*) Is it a fact that the Salaries Committee of Eastern Bengal and Assam had two family budgets prepared by two eminent members of the society, viz., Nawab Khwaja Muhammad Yousuff, Khan Bahadur, and late Rai Kali Prasanna Ghose Bahadur, C.I.E., of Dacca?

(*c*) Will the Hon'ble the Member be pleased to state whether the family budgets were accepted by the committee or not?

(*d*) Is it a fact that the present values of the two family budgets prepared by the Salaries Committee of Eastern Bengal and Assam in 1908 have been found by a member of the Committee of 1920-21 to be Rs. 68 odd and Rs. 57 odd?

(*e*) Will the Hon'ble the Member be pleased to state whether the Government intend fixing the minimum living wage of a clerk at Rs. 68?

(*f*) What is the reason that the minimum living wage of a clerk varies from office to office in this province, viz., in the Secretariat, the High Court, the Divisional Commissioners' offices and the District offices, etc.?

The Hon'ble Mr. KERR: (*a*) Yes.

(*b*) Yes.

(*c*) Yes. The committee accepted them as a reasonable estimate of the cost of living of a family of four persons.

(*d*) Yes.

(*e*) No.

(*f*) The minimum wage of the clerks in an office is determined by the nature, status and situation of the office, all of which vary.

Travelling allowances to deputy superintendents of police.

18. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether orders have been passed by Government sanctioning first class travelling allowance for deputy superintendents in charge of subdivisions, as in the case of deputy magistrates in charge of subdivisions?

(*b*) If not, will the Hon'ble the Member be pleased to state whether Government are considering the desirability of granting higher rates of travelling allowance to the deputy superintendents, and, if so, when orders are likely to be passed?

The Hon'ble Sir HENRY WHEELER: (*a*) No such orders have been passed.

(*b*) The question is under consideration, but it is not possible to say now what orders are likely to be passed.

Survey and Settlement operations.

19. Mr. BIJOY PROSAD SINGH ROY: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether the Government have decided to reduce the number of officers engaged in the Survey and Settlement work, *i.e.*, by requiring that the work be carried on by two parties of officers instead of four?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state what will be the amount of reduction in expenditure?

(*c*) Will the Hon'ble the Member be pleased to name the districts of Bengal in which the Survey and Settlement works will be taken up in 1922-23?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Yes; in view of the financial situation Government propose to carry on the Survey and Settlement operations on a two-party basis.

(*b*) The reduction in expenditure will amount to Rs. 1,30,000 in 1921-22 and to Rs. 12,50,000 in 1922-23.

(c) It is not proposed to take up any new district in 1922-23, but settlement operations will be continued in those districts only where they have already been started (*viz.*, Nadia, Jessore, Pabna-Bogra, Khulna, Bankura, Birbhum). Operations in the Murshidabad district have been postponed indefinitely, although the traverse survey of one block had been completed.

Promotion of sub-deputy collectors as deputy collectors.

20. Rai JOGENDRA CHUNDER GHOSE Bahadur: (a) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether there is a rule that sub-deputy collectors can ordinarily get promoted to the rank of deputy collectors before the age of 41 but after that age are precluded?

(b) If so, are the Government contemplating the amendment of the rule in the interests of deserving senior officers over the age of 41?

The Hon'ble Sir HENRY WHEELER: (a) The promotion of sub-deputy collectors is regulated by rule 6 of the rules for the recruitment of the executive branch of the Bengal Civil Service in which it is provided that an officer nominated under this rule should not ordinarily exceed 40 years of age.

(b) No.

Competitive examination for appointment in Provincial Executive Service.

21. Babu JOGENDRA NATH ROY: (a) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is in contemplation to revert to the system of competition for appointment to the Provincial Executive Service?

(b) If so, when is the system likely to be introduced?

The Hon'ble Sir HENRY WHEELER: (a) Yes.

(b) It is hoped that the system will be introduced at the next annual recruitment towards the end of 1922.

Dredgers for khal and waterways in Eastern Bengal.

22. Babu JOGENDRA NATH ROY: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to say whether the Government are considering the advisability of providing dredgers especially for Eastern Bengal, where many khals and other waterways are being silted up?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): Government have considered the advisability of providing dredgers for the maintenance of silted khals and waterways, and have already improved the Naria and Lower Kumar in the Faridpur District and the Burhani khal in the Bakarganj District, besides dredging shoals in the Madumati and Atarbanka in the Khulna District annually and occasionally dredging the Doa Agra in the 24-Parganas District: two more large dredgers are on the stocks in England and will be available for the general maintenance of the waterways after they have completed urgent work in Western Bengal: if the "Alexandra" dredger can be spared she will dredge the Sitalakshya khal near Dacca in the cold weather of 1922-23, provided it is found that dredging is likely to be of a permanent nature.

Munsifs' quarters.

23. Maulvi FAZLAL KARIM: With reference to my unstarred question No. 62, asked at the meeting of 29th August, 1921, will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a list of places where munsifs' residences are now under construction?

The Hon'ble Sir ABD-UR-RAHIM: Only residences for three munsifs at Bogra are under construction.

Coolie affairs at Chandpur.

24. Rai RADHA CHARAN PAL Bahadur: Will the Hon'ble the Member in charge of the Political Department be pleased to state what action has been taken upon the resolution passed by the Council with regard to the Chandpur affair?

The Hon'ble Sir HENRY WHEELER: The member is referred to the answer given to starred question No. XXXIV by Babu Fanindralal De at the meeting of the 29th August, 1921.

Bhairab river excavation.

25. Maulvi RAFI UDDIN AHMED: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state how far the work of the excavation of the Bhairab river has proceeded?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The excavation of the Bhairab river has not been commenced. The project is under preparation and is expected to be completed in about 9 months' time.

Proposal of the Bengal Police Association to present an address to His Royal Highness the Prince of Wales.

*26. **Maulvi RAFI UDDIN AHMED:** (a) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that the Bengal Police Association, as representative of the Police Force in Bengal, wanted to present an address to His Royal Highness the Prince of Wales?

(b) Is it a fact that the Government have not acceded to this request?

The Hon'ble Sir HENRY WHEELER: (a) Yes

(b) Yes. A copy of Government's reply is laid on the table

Reply referred to in the answer to clause (b) of unstarred question No. 26.

No. 766 P. D., dated Darjeeling, the 22nd September, 1921

From—J. DONALD, ESQ., C.I.E., I.C.S., Chief Secretary to the Government of Bengal,

To The Inspector-General of Police, Bengal

With reference to your letter No. 8197A. A. 541-21, dated the 17th September, 1921, I am directed to say that the presentation of addresses to His Royal Highness the Prince of Wales is being limited to a few very special occasions. There will however, be a parade of the police forces before His Royal Highness when he visits Calcutta

Subscriptions realised in registry offices for charitable purposes.

27. **Babu TANKANATH CHAUDHURI:** (1) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(a) whether the Government are aware that in many of the sub-registry offices certain fees or subscriptions are levied on every deed registered for the purpose of carrying on any local charitable works;

(b) if so, the names of the sub-registry offices in each district where such fees or subscriptions are levied for—

(i) the maintenance of High Schools;

(ii) the maintenance of Middle English Schools;

(iii) the maintenance of dispensaries; and

(iv) other charitable purposes;

(c) whether accounts are kept of these fees or subscriptions; and

(d) if so, whether these accounts are duly audited and checked by any constituted authority?

(2) Are the Government considering the desirability of discontinuing the levy of such fees or subscriptions?

The Hon'ble Mr. P. C. MITTER: (1) (a) The reply is in the affirmative. The practice of raising voluntary subscriptions for carrying on local charitable works is in existence in 14 offices of 6 districts.

(b) A statement showing the names of these districts and offices is laid on the table.

(c) and (d) The accounts kept are not duly audited and checked by any constituted authority.

(2) The matter is under the consideration of Government.

Statement referred to in the reply to clause (b) of unstarred question 27.

1 *Bankura.* At Katra voluntary subscriptions not exceeding one anna are realised in aid of the High English School there.

2. *Bakarganj* Voluntary subscriptions are raised in 6 Sub-Registry offices for educational purposes, viz., (1) Barisal Joint, (2) Barkarganj, (3) Galachipa, (4) Bhola, (5) Radhaballav, and (6) Barhanaddin

3 *Dinajpur* —Voluntary subscriptions for schools are collected at Birganj, Pirganj and Gangarampur Sub-Registry offices

4 *Nadia.* A "Charity box" has been kept in the Mirpur Sub-Registry office by the local school authorities

5 *Pabna.*— At Dhangora and Serajganj subscriptions paid voluntarily are realized for local charitable dispensaries

6 *Noakhali* Subscriptions at a certain rate are realised from purchasers of lands in the Raipura office only

Acquisition of Pir Shaheb's land for Dacca Sewerage pumping station.

28. SHAH SYED EMDADUL HAQ: (a) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that the municipality of Dacca has acquired a piece of land within the municipal limits adjoining the house of His Holiness Muhammad Pir Shaheb of Munshikhola at 36, Sha Shahib Lane?

(b) Is the Hon'ble the Minister aware that the said piece of land was originally acquired to be used as a pumping station for night-soil?

(c) Is the Hon'ble the Minister aware that the municipality had to abandon the idea of turning the said piece of ground into a pumping station owing to the unexpected appearance of springs at the bottom of the excavation?

(d) Is the Hon'ble the Minister aware that the said piece of land was originally acquired by the Pir Shaheb for religious purposes in connection with his mosque that stands close by?

(e) Are the Government considering the desirability of taking steps for the restoration of the land to the Pir Shaheb?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) The Dacca Municipality acquired a piece of land measuring a little over 1 bigha 11 cottas for its sewerage pumping station. It adjoins the compound which contains Sha Shaheb's (Pir Shaheb's) house and mosque, and is about 138 feet from the mosque. A plan showing the position of the land and the mosque is laid on the Library table.

(*c*) When excavating the receiving well an underground spring was found which necessitated transferring the site of the well, and consequently the pumping station building, to an adjoining piece of land.

(*d*) The land was purchased by the Shah Shaheb some time in July, 1918, about 7 or 8 months before the declaration for the acquisition was published, but after the preliminary survey for the acquisition had been made. The object of the Shah Shaheb is not known to Government.

(*e*) The excavations are being filled in and when the original level of the ground is restored, the land, with the exception of a strip near the railway, required for an access road, can be restored to the original owner on refund of the purchase price.

Boycott of Fourth Judge's Court at Dacca by pleaders.

29. Maulvi RAFI UDDIN AHMED: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that the court of Babu Pashupati Basu, Subordinate Judge, Fourth Court, Dacca, has been boycotted by the pleaders of Dacca and that, as a result thereof, the litigant public are suffering inconvenience?

(*b*) If the answer to (*a*) is in the affirmative, what steps, if any, are the Government taking to relieve the said litigant public of their difficulties?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) Proceedings have been taken under the Legal Practitioners Act against certain of the pleaders concerned and others have been reported to the High Court. The decision of the High Court is awaited.

Waiting-room at Barisal Steamer Station.

30. Maulvi FAZLAL KARIM: With reference to my unstarred question No. 103 asked at the meeting of the Council on the 29th August, 1921, will the Hon'ble the Member in charge of the Marine Department be pleased to state whether it is in the contemplation of the steamer authorities to provide one or two benches for intermediate class passengers in the portion of the verandah space which is being enclosed for male passengers, and also to attach an urinal thereto?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. Kerr): It has been ascertained from the Rivers Steam Navigation Company that the verandah which has been enclosed for male passengers at Barisal contains a suitable seat with back rest. The Company do not propose to build a urinal.

Tour of Chairmen of district boards.

31. Babu SURENDRA NARAYAN SINHA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the number of days spent on tour by the non-official Chairmen of the district boards in Bengal during the years in 1919-20 and 1920-21?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 31, showing the number of days spent on tour by the non-official Chairmen of district boards in Bengal during the years 1919-20 and 1920-21.

Name of district board	Number of days on tour in 1919-20.	Number of days on tour in 1920-21.	Remarks.
Burdwan ...	79	95	There were no non-official Chairmen in the districts of the Division except Burdwan during 1919-20.
Birbhum ...	...	83	
Bankura ...	...	78	
Midnapore ...	...	15	
Hooghly ...	...	35	
Howrah ...	...	14	
24-Parganas ...	20	23	
Murshidabad ..	15	28	
Jessore ...	23	38	
Khulna ...	...	27	No non-official Chairmen in Khulna and Nadia during 1919-20.
Nadia ...	...	35	
Dacca ..	...	56	No non-official Chairmen in Dacca, Mymensingh and Faridpur during 1919-20
Mymensingh ...	...	80	
Faridpur ...	...	71	

Name of district board.	Number of days on tour in 1919-20	Number of days on tour in 1920-21	Remarks.
Bakarganj ...	21	138	
Tippera ...	...	53	The District Magistrate was the Chairman in 1919-20. In Chittagong and Noakhali district boards the District Magistrates were Chairmen during 1919-20 and 1920-21
Rajshahi ...	...	42	In these boards there were no non-official Chairmen during 1919-20. In the other district boards of the Rajshahi Division non-official Chairmen were elected during 1921-22
Rangpur ..	...	128	
Pabna ...	...	72	
Malda ...	...	59	

Khulna famine.

32.* Babu NALINI NATH ROY: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the sum of money that has been spent in the present year, month by month, by the Government up to this time for the relief of the villages of Khulna affected with distress?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Rs. 13,022 has been spent on gratuitous relief and Rs. 47,908 on agricultural loans as follows:

Gratuitous Relief, 1921—August, Rs 1,919; September, Rs. 5,028; October, Rs. 6,075.

Agricultural Loans, 1921—May, Rs 14,988; June, Rs. 5,000; July, Rs. 20,000; September, Rs 7,920

Court of Fourth Subordinate Judge of Dacca.

33. Mr. SYED ERFAN ALI: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware of the situation that at present exists between the lawyers practising in the District Court at Dacca and Babu Pashupati Bose, the Fourth Subordinate Judge of Dacca?

(*b*) Is the Hon'ble the Member aware of the deadlock created thereby in the administration of justice in the Court of the said Subordinate Judge?

(*c*) Has the attention of Government been drawn to the hardships caused to the litigant public by the said deadlock?

(*d*) What is the number of original suits and appeals that have bee transferred to the said Court from other courts by the District Judg since the trouble began, and what legal help have the parties in thos cases been able to obtain in the said Court?

(*e*) How many times did complaints against the said Babu Pashupat Bose reach the Executive or Judicial authorities, particularly durin his incumbency as a judicial officer at Manikganj, Malda, Satkania an Pabna?

(*f*) Will Government be pleased to refer to unstarred questio No. 2 asked by Babu Akhil Chandra Dutt in the Bengal Legislativ Council on the 1st September, 1920, and the supplementary questio asked by him in connection therewith and state whether any inquir has been held by Government into the allegation made by the Pabn Bar Association to the effect that the said Babu Pashupati Bose made witness rub his nose against the wall of the Court room?

(*g*) Is it a fact that the said Babu Pashupati Bose came into conflic with legal practitioners while acting as a judicial officer at the above mentioned places?

(*h*) Will the Hon'ble Member be pleased to state—

(*i*) the number of cases—original suits and appeals—taken up an disposed of by the said Subordinate Judge, Babu Pashu pati Bose, from the 17th June to the 12th August;

(*ii*) the number of witnesses examined in each case;

(*iii*) the number of folios covered by the depositions of witnesse thus examined;

(*iv*) on how many days since the 15th June did the said Subordi nate Judge take his seat in court at 11 A.M. as required by th High Court circular?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes

(*b*) and (*c*) No. Litigants in the Court have been put to some inconvenience, but a few pleaders and the muktars are appearing befor the Subordinate Judge.

(*d*) Original suits, 1; Appeals, 124. The parties have been able t obtain the services of a few pleaders and the muktars.

(*e*) Four in all. One to the Executive and three to the District Judge.

(*f*) The District Judge investigated the matter and the Sub-Judge was informed by Government that the summary method adopted by the Sub-Judge in the case of Abbas Pramanik was undignified in a Court of Justice.

(*g*) At Pabna and Satkania only.

(*h*) (*i*) Original suits, 42; Appeals, 9. Total 51.

(*ii*) Witnesses examined in original suits, 72.

(*iii*) 289 folios approximately.

(*iv*) On 15 days during 52 working days.

Muhammadans as assistant commissioners of police.

34. Khan Bahadur KHWAJA MOHAMED AZAM: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state how many assistant commissioners of police have been appointed in the city of Calcutta since the creation of those appointments in 1916?

(*b*) Will the Hon'ble the Member be pleased to state how many Christians, Hindus and Muhammadans have been appointed assistant commissioners of police in Calcutta since then?

(*c*) If no Muhammadans have been appointed as assistant commissioners of police in Calcutta, will the Hon'ble the Member be pleased to state the reasons therefor?

The Hon'ble Sir HENRY WHEELER: (*a*) Thirteen including 2 temporary.

(*b*) Nine Christians, 4 Hindus and no Muhammadans.

(*c*) There was no Muhammadan in the two senior grades of inspectors, from which promotions were made to the posts of assistant commissioners.

Charges for the reserved and transferred departments.

35. Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing in detail for each of the departments reserved and transferred separately -

(*i*) original recurring charges,

(*ii*) increments under the various reorganisation schemes how far they have been given effect to in the proposed Budget estimate, and what remains to be done and the likely amounts that are required for the purpose, and

(*iii*) the proportion of the increments for each department?

The Hon'ble Mr. KERR: A statement, showing in detail separately for each of the reserved and transferred departments (*i*) the average cost of the services taken at their full strength before the most recent reorganisation, and (*ii*) the increased cost during the year 1921-22 on account of the recent reorganisation of the services on the assumption that the whole cadre is employed, is laid on the table.

(*iii*) The average cost of the services before the reorganisations has been worked out on the existing formulæ on the subject. No formulæ have yet been prescribed for working out the average cost under the time-scale of pay which is being introduced in every service in the recent reorganisations. It is not therefore possible to find out the average cost of a service under this scale of pay. In the circumstances the other parts of the question cannot be answered.

Statement referred to in the answer to clauses (i) and (ii) of unstarred question No. 35.

RESERVED DEPARTMENTS

Major head of account.	Name of the service	Average cost of the service before the most recent re-organisation.	Estimated cost of the service during the year 1921-22 according to the full sanctioned scale.
		Rs	Rs.
8.—Forests ...	Imperial Forest Service ...	1,75,140	2,33,000
22.—General Administration.	Indian Civil Service ...	30,00 000 (a)	38,00,000
	Bengal Civil Service ...	13,00,000 (a)	20,75,000
	Subordinate Civil Service ...	5,00 000 (a)	9,63,000
	Local Audit Department ...	44 916	67,563
	Outside Audit Department	15,084	18,500
24 —Administration of Justice.	Bengal Judicial Service ...	13 50,600	22,94,000 (b)
25.—Jails ...	Subordinate Jail Service ...	1,03,688	1,40,000
	Warders Establishment ...	2,96,000	2,74 000
26.—Police ...	Imperial Police Service ...	9,21,996	11,31,000 (c)
	Bengal Police Service ...	1,14,000	1,39,000
	Frontier Police, Chittagong	31,560	80,000 (d)
	Inspectors ...	6,19,200	7,57,188
	Sub-Inspectors ...	14,47,800	22,48,403
	Sergeants ...	98,592	1,09,116
	Assistant Sub-Inspectors and Head Constables.	5,74,740	5,26,140 3,21,984
	Constables	26,47,668	41,44,176
	Eastern Frontier Rifles ...	1,67,316	1,92,240
	Boat Establishment ...	73,531	2,66,905

(a) Represents actual expenditure calculated on the full cadre.

(b) Including certain new posts to be created.

(c) Including Commissioner and Deputy Commissioner of Police, Calcutta.

(d) Provides for the revision on Bengal scale of pay.

Major head of account.	Name of the service.	Average cost of the service before the most recent reorganisation.	Estimated cost of the service during the year 1921-22 according to the final sanctioned scale
	Calcutta Police.—	Rs.	Rs.
	Assistant Commissioners	62,472	64,664
	Inspectors	1,11,690	1,52,313
	Sergeants	2,73,600	3,06,600
	Sub-Inspectors ...	2,09,100	2,16,445
	Assistant Sub Inspectors and Head Constables.	1,24,200	70,050 1,38,872
	Constables	7,52,315	9,51,600
37.—Miscellaneous ...	Inspectors of Factories ...	32,360	45,400
	Certifying Surgeon of Factories, Barrackpore.	8,400	9,600 500 (a)
			10,100
46.—Stationery and Printing	*Bengal Secretariat Press Establishment* —		
	Permanent	7,713	14,826
	Temporary	1,003	781
	Ministerial and Menial Establishment.—		
	Permanent	1,838	3,652
	Temporary	193	261
	Private Secretary's Office Press Establishment —		
	Permanent	488	932
	Secretariat Press, Darjeeling Branch —		
	Press Establishment ...	996	1,989
	Ministerial and Menial Establishment	272	473
Various heads of Budget	Ministerial Establishment ...	62,05,000	74,96,000 (b)
	Menial Establishment ...	31,56,000	39,06,000

(a) Motor allowance.
(b) With the *Ad-Interim* allowances. Revision not yet sanctioned.

TRANSFERRED DEPARTMENTS.

Major head of account	Name of the service.	Average cost of the service before the most recent reorganisation.	Estimated cost of the service during the year 1921-22 according to the full sanctioned scale.
		Rs.	Rs.
6.—Excise ...	Excise Executive and Preventive staff.	6,67,776	10,57,500
9.—Registration ...	Registration Service ...	5,50,500	6,31,440 (a)
31.—Education ...	Indian Educational Service—		
	For Men	5,75,820	6,99,300
	For Women ...		30,420
	Bengal Educational Service.—		
	For Men	6,44,196	7,90,638
	For Women ...		64,094
	Subordinate Educational Service.	12,79,932	12,90,420 (b)
	Lower Subordinate Educational Service	1,28,616	2,20,656
	Vernacular Teachers' Service.	81,120	1,51,200
32.—Medical ...	Indian Medical Service ...	8,86,800	11,66,500
	Civil Assistant Surgeons ...	4,01,300	6,27,300
	Military Assistant Surgeons	88,200	2,04,000
	Sub-Assistant Surgeons ...	2,62,700	3,25,200
	Keepers of Lunatic Asylums	17,750	26,000
	Compounders ...	9,180	12,600

(a) Including certain duty allowance sanctioned after the last reorganisation. The question of improving the pay and prospects of Sub-Registrars is under consideration and there is a provision of Rs. 75,000 for the purpose.

(b) There is a provision of Rs 7,50,000 in the current year's budget for the revision of services below the Provincial Educational Service.

Major head of account.	Name of the service.	Average cost of the service before the most recent reorganisation.	Estimated cost of the service during the year 1921-22 according to the full sanctioned scale.
		Rs.	Rs.
33.—Public Health ...	Sanitary Commissioner (Director of Public Health)	20,400	28,800
	Deputy Sanitary Commissioners (now Assistant Directors of Public Health)	85,546	90,000
	Inspector of Septic Tank Installations.	6,000	7,800
	Entomologist ...	2,400	2,700
	Vaccination Inspecting Staff	46,425	55,700
	Assistant Surgeons ...	13,800	17,900
34.—Agriculture ...	Imperial Agricultural Service	73,575	1,08,600
	Provincial Agricultural Service	30,400	32,640
	European Gardeners ..	28,020	40,980
	Imperial Veterinary Service	40,440	47,000
	Provincial Veterinary Service	22,092	39,740
	Subordinate Veterinary Service	46,840	40,520
41.—Civil Works and 42.—Waterways and Embankments	Imperial Engineering Service	5,59,693 (c)	1,73,220
	Architects	29,440	57,000
	Bengal Engineering Service	90,960 (c)	3,94,680
	Upper Subordinates ..	46,920	62,580
	Subordinate Engineering Service	43,800	1,07,400
	Lower Subordinates ..	58,200	83,820
	Plumbing experts ...	9,600	17,300

(c) Excludes recoveries from Local Bodies.

(d) Represents cost of both Imperial and Provincial Engineering Service existing before the recent reorganisation.

(e) Represents cost of those Upper Subordinates who have been promoted to Bengal Engineering Service.

Charges incurred for increased pay and allowances.

36. Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing in detail the additional charges involved on account of the increment of pay and allowances of the employees granted, and proposed to be granted, in the several departments of the Government of Bengal—

(*a*) under the recommendations of the Public Services Commission;

(*b*) on the introduction of the reformed Government;

(*c*) for other economic causes in recent years?

The Hon'ble Mr. KERR: (*a*) An estimate of additional charges involved in 1921-22 on account of increase of pay and allowances of officers sanctioned in accordance with the recommendations of the Public Services Commission is laid on the table.

(*b*) No increase of pay and allowances has been sanctioned on account of the introduction of the reformed Government.

(*c*) An estimate of additional charges involved in 1921-22 on account of increase of pay and allowances granted for economic causes to services other than those considered by the Public Services Commission, is also laid on the table.

Estimate of additional charges involved in 1921-22 on account of increment of pay and allowances of officers sanctioned in accordance with the recommendations of the Public Services Commission referred to in the reply to clause (a) of unstarred question No. 36.

Major head of Accounts	Names of services reorganised.	Provision in the budget estimate for 1921-22 to give effect to the reorganisation
		Rs
2.—Excise ...	Deputy Commissioners and Superintendent of Excise and Salt	72,500
3.—General Administration	Indian Civil Service ...	3,00,000*
	Bengal Civil Service ...	6,50,000*
	Officers holding listed appointments	76,000 94,000†
24.—Administration of Justice.	Provincial Judicial Service ...	9,50,000*

* Revision has been given effect to.

† Arrear pay with effect from December, 1919, to March, 1921.

Major head of Accounts.	Names of services reorganised.	Provision in the budget estimate for 1921-22 to give effect to the reorganisation.
		Rs.
26.—Police ...	Imperial Police Service ...	1,28,000*
	Deputy Superintendents of Police ...	49,000*
31.—Education ...	Indian Educational Service and Provincial Educational Service.	1,50,000*
32.—Medical ...	Indian Medical Service ...	3,43,000*
	Civil Assistant Surgeons ...	2,80,000*
	Military Assistant Surgeons ...	80,000*
34.—Agriculture ...	Imperial Agricultural Service ...	19,000*
	Provincial Agricultural Service ...	7,000*
	Provincial Veterinary Service ..	7,000
37.—Miscellaneous ...	Inspectors of Factories ...	14,000*
41.—Civil Works—Public Works Department and 42.—Waterways and Embankments.	Imperial Engineering Service ...	40,000*
	Bengal Engineering Service .	1,11,000*

* Revision has been given effect to.

Estimate of additional charges involved in 1921-22 on account of increment of pay and allowances granted due to economic causes referred to in the reply to clause (c) of unstarred question No. 56.

Major head of Accounts.	Names of services reorganised.	Provision in the budget estimate for 1921-22 to give effect to the reorganisation.
		Rs.
6.—Excise ...	Excise Executive staff ...	2,49,000*
9.—Registration ...	Sub Registrars ..	75,000
22.—General Administration.	Subordinate Executive service ...	4,00,000*
	Local Audit Establishment .	96,000*
25.—Jails ...	Subordinate Jail service ..	1,30,000*

* Revision has been given effect to.

Major head of Accounts.	Names of services reorganised.	Provision in the bud estimate for 1921 to give effect to reorganisation.
		Rs.
26.—Police ...	Higher subordinates of the Calcutta Police.	1,33,000*
	Inspectors of the Bengal Police ...	2,75,000*
	Subordinate Executive force of Calcutta Police.	2,66,000*
	Subordinate Executive force of Bengal Police.	2,75,000*
	Boat Establishment of the Police Department	40,000
	Eastern Frontier Rifles, Dacca ...	42,000*
	Frontier Police, Chittagong ...	35,000
31.—Education ...	Reorganisation of services below the Provincial Educational Service	7,50,000
32.—Medical ...	Sub-Assistant Surgeons ...	50,000
	Keepers of the Berhampore Lunatic Asylum.	1,000*
	Demonstrators not in the cadre of Assistant Surgeons	4,000*
	Deputy Superintendent, Mitford Hospital, Dacca	2,000*
33.—Public Health ...	Director and Assistant Directors of Public Health Department	43,000*
	Vaccination Inspecting Staff ...	9,000
34.—Agriculture ...	European Gardeners Service ...	6,000*
	Superintendent and Assistant Superintendent, Zoological Gardens.	1,000*
	Subordinate Veterinary Service Officers	15,000*
35.—Industries ...	Staff of the Government Commercial Institute, Calcutta	6,000*

* Revision has been given effect to.

Major head of Accounts.	Names of services reorganised.	Provision in the budget estimate for 1921-22 to give effect to the reorganisation
		Rs.
41.—Civil Works—Public Works Department.	Upper Subordinate Service not eligible for Bengal Engineering Service	23,000
	Creation of a new Subordinate Engineering Service and revision of pay of Lower Subordinates	2,33,000
	Electric Subordinates ...	10,000
	Toll and Navigation establishment ...	10,000
46.—Stationery and Printing	Press establishment ...	1,76,000
47.—Miscellaneous ...	*Ad-interim* allowance to ministerial officers	10,98,000
	Revision of pay of ministerial and menial establishment.	45,61,000

Revision has been given effect to.

Jamuna bunds.

37. Rai HARENDRANATH CHAUDHURI: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that for many years past up till 1918 there were cross bunds in the river Jamuna down below Kaliganj in the Satkhira subdivision of the Khulna district?

(*b*) Will the Hon'ble the Member be pleased to state why and when those bunds were ordered to be removed?

(*c*) Is the Hon'ble the Member aware that since the removal of those bunds a wide area comprising a large number of villages and hundreds of acres of land on both the banks of the Jamuna from Raipur in the north to Chingreekhali in the south has been affected from economic as well as sanitary points of view?

(*d*) Will the Hon'ble the Member be pleased to state whether it is a fact that since the removal of the said bunds there have been repeated failures of crops in the villages bordering on the Jamuna below Kaliganj?

(*e*) Is the Hon'ble Member aware that those villages are suffering from scarcity owing to repeated failures of crops since 1919?

(*f*) Was any representation made by the villagers concerned to the District Magistrate and, if so, what action was taken on it?

(*g*) Was any representation made to the Chairman of the Khulna district board by the people of the villages of Chalteghata, Kasimpur, Chingreekhali, Mamudpur, Bansipur, etc.?

(*h*) Did the District Health Officer submit any report after an inspection of the said area?

(*i*) If so, will the Hon'ble the Member be pleased to lay a copy of the inspection report on the table?

(*j*) Will the Hon'ble the Member be pleased to state whether it is a fact that the Chief Engineer, Public Works Department, Bengal, was of opinion in 1911 that the Jamuna was sure to silt up and that he did not recommend the excavation of the Jamuna?

(*k*) Is it a fact that three medical officers of the Public Health Department and thereafter the Assistant Director of Public Health visited the area towards the end of the month of September?

(*l*) If so, will the Hon'ble the Member be pleased to lay on the table a copy of their reports?

(*m*) Are the Government considering the desirability of re-erecting the old bunds?

(*n*) If the answer to (*m*) is in the negative, what action, if any, are the Government contemplating to take in the matter?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*), (*b*), (*c*), (*d*), (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*k*), (*l*), (*m*) and (*n*) The information asked for is not available in the Irrigation Department and will take time to collect. Government are therefore unable to reply to the questions at present but will make inquiries.

Ministerial officers in field service.

38. Babu KISHORI MOHAN CHAUDHURI: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing the names of all the ministerial officers who undertook, on deputation, any form of field service during the war stating therein the posts they were holding at the time of their deputation and the posts they are holding at present?

(*b*) Will the Hon'ble the Member be pleased to state what consideration, if any, has been shown to such officers?

The Hon'ble Sir HENRY WHEELER: (*a*) and (*b*) The information is not on record.

Ministers' salaries.

39. Rai JOGENDRA CHUNDER GHOSE Bahadur: Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether he had received any communication from

England on the reference made to the Attorney-General about the admissibility of motions for the reduction of the salaries of Ministers?

The Hon'ble Sir HENRY WHEELER: Yes. The member is referred to the answer given to unstarred question No. 43 asked by Rai Radha Charan Pal Bahadur at this meeting of the Council.

Midnapore Zamindary Company.

40. Maulvi EKRAMUL HUQ: (*a*) Has the attention of the Hon'ble the Member in charge of the Political Department been drawn to the unrest among the tenants of the Midnapore Zamindary Company at Murshidabad?

(*b*) Are the Government contemplating taking any steps in the matter?

The Hon'ble Sir HENRY WHEELER: (*a*) Government have been informed of the existence of disputes between the Midnapore Zamindary Company and its tenants in Murshidabad.

(*b*) The local officers are taking such steps as the situation demands.

Bhola Municipality.

41. Maulvi EKRAMUL HUQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether Government have received a memorial from the residents of Bhola, a subdivision in the district of Bakarganj, praying that the sanction to establish a municipality in the said town be withdrawn as the people there think it to be unnecessary and highly expensive?

(*b*) Is the Hon'ble the Minister aware that the population of the said town is below 3,000 and parts of the surrounding villages, viz., Alinagar, Char Nawabad, Bapta, Algi have been included in the municipal area to make up the required number of population according to municipal law?

(*c*) Is the Hon'ble the Minister aware that almost the entire public with the exception of very few, are against the establishment of a municipality at Bhola?

(*d*) Is it a fact that many high Government officials have declared the town to be very healthy?

(*e*) Is it a fact that more than three-fourths of the annual income of the municipality is to be spent for office establishment?

(*f*) Have the Government considered the desirability of asking the Chairman of the Bhola municipality to submit an estimate of the expected income and expenditure of the said municipality?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The answer is in the negative.

(*b*) The town of Bhola consists of portions of Mouza Jamiratala, char Jangla, char Nawabad, Chhoto Algi and Bapta. The boundaries of the municipality have been fixed specially with the object of excluding agricultural areas. The area of the municipality is only three-fourths of a square mile and its population according to the last census is about 4,500.

(*c*) The municipality was established according to the wishes of the inhabitants of the town as expressed in their petition dated 28th May, 1919, a copy of which is laid on the library table. After its establishment two petitions were filed before the local officers, which were on inquiry found not to be *bonâ fide*, as many signatures were found to have been fabricated.

(*d*) Yes, the town was formerly very healthy, but of late, there have been repeated outbreaks of cholera, and the number of malarial patients who attended the town hospital rose from 499 in 1920 to 808 up to July, 1921.

(*e*) No; the income of the municipality according to the budget of the current year is Rs 5,513 and expenditure on the head "office establishment" is Rs 576 only

(*f*) No, under section 76 of the Bengal Municipal Act, the Commissioner of the Division is the final authority in respect of municipal budgets.

Income-tax on arrears of salary.

42. Maulvi FAZLAL KARIM: (*a*) With reference to my unstarred question No 57 asked at the meeting on the 29th August, 1921, will the Hon'ble the Member in charge of the Department of Finance be pleased to state what is at present the rule regarding the deduction of income-tax from arrears of salary when those arrears do not amount to Rs 2,000?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a copy of the Accountant-General's ruling on the subject?

The Hon'ble Mr. KERR: (*a*) The rule regarding the deduction of income-tax from arrears of salary is that where the monthly amount of the arrears is such that reckoned at this rate for a period of 12 months the amount would not be less than Rs 2,000, income-tax is deducted. If, however, the monthly rate is less than Rs. 166-10-8, income-tax is not deducted at source It is, however, the duty of the Income-tax Department subsequently to realise income-tax in all cases where the amount of the arrears together with the salary normally drawn brings the total income within the assessable limit.

(*b*) The Accountant-General has issued no ruling on this subject. The direction of the Government of India is contained in Note 1 to section 15 (1), Appendix 2, Civil Account Code, Volume I, copy of which is annexed.

Note 1 to Section 15 (1), Appendix 2, Civil Account Code, Volume I, referred to in the reply to clause (b) of unstarred question No. 42.

The payment in a lump sum of additions, warranted by orders having retrospective effect, to salaries of previous months which have already been drawn is not a "recurring" payment within the meaning of this section, so the rate of income-tax leviable thereon at the time of payment must be determined solely by the amount payable on the Bill regardless of the assessee's other income during the period to which the arrears relate

Such additional amounts should therefore not be drawn on the same bill with current salary

Budget and Ministers' salaries.

43. Rai RADHA CHARAN PAL Bahadur: (a) Has the Hon'ble the Member in charge of the Appointment Department received the opinion of the English constitutional lawyers as to the inclusion of the Ministers' salaries in the "non-voted" list in the Budget?

(b) If so, will the Hon'ble the Member be pleased to lay the same on the table?

The Hon'ble Sir HENRY WHEELER: (a) and (b) The opinion of the Law Officers of the Crown was obtained by the Secretary of State who has communicated the following summary

"The effect of the provisions of sections 52 (1) and 72D of the Act is that a vote of the Legislative Council taken before the presentation of the budget, to determine a Minister's salary does not preclude the Council from varying that salary by subsequent votes, and does not remove the salary from the control of the Council under section 72D" Government are also advised that the provisions of section 72D (3) (iii) are limited to "amounts prescribed by or under any law," and do not include amounts fixed by a vote only.

Travelling allowances to sub-deputy collectors.

44. Babu JOGENDRA NATH ROY: (a) Is the Hon'ble the Member in charge of the Appointment Department aware that the new rules about the travelling allowances of sub-deputy collectors have not been favourably received by the service?

(b) Are the Government contemplating reconsidering their decision in the matter?

The Hon'ble Sir HENRY WHEELER: (a) Several representations have been received regarding the fixed travelling allowances of sub-deputy collectors employed as circle officers

(b) Some of the points raised are under consideration, but the time is not opportune for the reconsideration of the orders with regard to the amount of these allowances.

Payment of pensions through the post.

45. Babu JOGENDRA NATH ROY: (*a*) Is the Hon'ble the Member in charge of the Department of Finance aware that Government pensioners residing in the mufassal often find it inconvenient to undertake a journey to the headquarters to draw their pensions?

(*b*) Are the Government considering the desirability of making arrangements for the payment of pensions through the Post Offices?

The Hon'ble Mr. KERR: (*a*) Yes.

(*b*) Pensioners drawing Rs 20 a month or less are already allowed at their option to have their pensions remitted to them by money order. The system has been introduced as an experimental measure for a period of one year, after which the desirability of extending it will be considered.

Destruction of villages in thanas Gheor and Manikganj.

46. Babu JOGENDRA NATH ROY: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that numerous villages in the jurisdiction of thanas Gheor and Manikganj, in the district of Dacca, are annually destroyed by floods?

(*b*) Will the Hon'ble the Member be pleased to state what steps Government are taking to remedy this state of affairs?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Government have no information as to the annual destruction of a number of villages in the Gheor and Manikganj thanas of the Dacca District

(*b*) The question does not arise.

Motor traffic in Darjeeling.

47. Raja MANILOLL SINGH ROY: Will the Hon'ble the Member in charge of the Police Department be pleased to state under what rules motor-cars are allowed to run on the roads within the municipal area of the town of Darjeeling.

The Hon'ble Sir HENRY WHEELER: Attention is invited to the rules issued under the Indian Motor Vehicles Act, 1914, especially to Part V containing additional and special rules relating to Darjeeling. A copy of the rules is placed on the Library table.

Extension of service to Mr. Swinhoe.

48. Babu SURENDRA NATH MALLIK: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether it is a fact that Mr Swinhoe, Chief Presidency Magistrate of Calcutta, has already completed his 55th year and is on an extension for a year;

(*ii*) whether it is a fact that Mr. Swinhoe has again been recommended for another extension for one year more, and

(*iii*) if so, the reasons for the last extension of service?

(*b*) Will the Hon'ble the Member be pleased to state whether it is not laid down as a principle of public policy that an extension should rarely be granted to officers and only for very "special reasons?"

The Hon'ble Sir ABD-UR-RAHIM: (*a*) (*i*) Yes.

(*ii*) No recommendation has been received, but an application for extension has been received from Mr. Swinhoe.

(*iii*) Does not arise.

(*b*) The principle laid down is as follows:—"Officers, other than ministerial, who have attained the age of 55 should ordinarily be required to retire, and should not be retained in service except where unquestionable public grounds for retention exist, and there is no doubt as to the physical fitness of the officer."

Calcutta-Khulna chord line.

49. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state whether the idea of a broad gauge chord line connecting Calcutta and Khulna has been abandoned?

(*b*) If not, when is the construction likely to be taken up?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) In October, 1916, the Railway Board sanctioned a reconnaissance survey by the agency of the Eastern Bengal Railway for a chord railway on the broad gauge from Khulna to Dum Dum. The line however was not surveyed during 1919-20. The Local Government have no further information on this question.

Communication between Calcutta and Howrah.

50. Mr. D. C. GHOSE: (*a*) Is the Hon'ble the Member in charge of the Marine Department aware of the need for more adequate means of communication between the city of Calcutta and its chief Railway Station at Howrah than by the existing floating bridge over the Hooghly?

(*b*) Is the Hon'ble the Member aware that the urgency of the need for increased accommodation was acknowledged so far back as in 1909?

(*c*) What steps are the Government taking to arrive at an early decision in the matter and to expedite the construction of the bridge?

The Hon'ble Mr. KERR: (*a*) Yes.

(*b*) Yes.

(*c*) The member is referred to Government Resolution No. 3541 Mng., dated the 4th November, 1921, which appeared in the *Calcutta Gazette* of the 9th November, 1921.

Platforms on East Indian Railway (Tarakeswar Branch).

51. Babu SURENDRA NATH MALLIK: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware that inconvenience and trouble are being caused to the passengers of the Tarakeswar Branch Railway (East Indian Railway) owing to the absence of a second platform at the principal stations of the line like Dearah, Singur, etc., and to the total absence of any platform at the minor stations like Nasibpur, etc.?

(*b*) Is the Hon'ble the Minister aware that passengers are obliged to drop down from a height of about 6 feet to the ground level below?

(*c*) Are the Government considering the desirability of taking necessary steps to get this grievance removed as early as possible?

(*d*) Will the Hon'ble the Minister be pleased to state whether this inadequacy or absence of platforms on the Tarakeswar Branch Railway was ever brought to the notice of the Government or the Railway Board by any Commissioner of the Division or the Collector of the District?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble the Minister be pleased to lay the connected papers on the table?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) The reply is in the negative.

(*c*) The attention of the authorities of the East Indian Railway will be drawn to this matter.

(*d*) The reply to the first part of the question is in the negative. Government are not aware whether this subject has ever been brought to the notice of the Railway Board.

(*e*) The question does not arise.

Tramways Strike.

52. Mr. BIJOY PROSAD SINGH ROY: (*a*) Are the Government considering the desirability of interfering to settle the strike of the tramway employees?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble the Member in charge of the Department of Commerce be pleased to state the reasons therefor?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. Kerr): (*a*) and (*b*) The member is referred to the *communiqué* issued on the 31st October, 1921, in which the position of Government with regard to the Tramways strike is defined.

Munsifs' quarters at Manikganj and North and South Raojan.

53. Maulvi FAZLAL KARIM: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether he is aware of the fact that in Manikganj, in the district of Dacca, and North and South Raojan, in the district of Chittagong, munsifs have got to live in *kutcha* houses with mud plinth?

(*b*) If so, what steps, if any, are the Government taking to remedy this grievance?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) As regards Manikganj, a project for building quarters for three munsifs has been administratively approved and will be taken up when funds are available. In South Raojan, the munsif has built himself a *kutcha-pucca* house and its purchase is at present under consideration by Government.

No proposals have been received in regard to North Raojan.

Court of Babu Pashupati Basu, Fourth Sub-Judge, Dacca.

54. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware of the friction between the Bench and Bar of Dacca?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of taking steps to remove the hardship, inconvenience and harassment caused to the litigant public?

(*c*) Is it a fact that a criminal case has been instituted by Babu Rabindra Chandra Chatarji, pleader, Dacca, against the Fourth Subordinate Judge, Babu Pashupati Basu, on the alleged commission of offences under sections 352 and 504, Indian Penal Code, while praying for time for deficit court-fee stamp?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) Proceedings have been taken under the Legal Practitioners Act, against certain of the pleaders concerned and others have been reported to the High Court. The decision of the High Court is awaited.

(*c*) Yes. The case instituted by Babu Rabindra Chandra Chatarji against the Sub-Judge under sections 352 and 504, Indian Penal Code, was dismissed under section 203 of the Code of Criminal Procedure.

Deputy Inspector-General of Police.

55. Babu JATINDRA NATH BASU: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) what are the functions ordinarily exercised by the Deputy Inspector-General of Police stationed at divisional head-quarters; and

(*ii*) in what respects the retention of these posts facilitates public business?

The Hon'ble Sir HENRY WHEELER: (*i*) The member is referred to the answer given to unstarred question No. 90 at the meeting of the 29th August.

(*ii*) A reference is invited to paragraph 70 of the report of the Indian Police Commission, 1902-03, a copy of which may be consulted in the Council Library.

Epidemic fever in Tippera.

56. Babu INDU BHUSHAN DUTTA: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that a kind of epidemic fever has been prevailing in certain villages within the jurisdiction of thanas Muradnagar, Daudkandi, Nabinagar, and Rasullabad in the district of Tippera during the last two years?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Minister be pleased to state whether any inquiry has been made as to the nature of the epidemic, and, if so, with what results?

(*c*) What steps have been taken or are proposed to be taken by Government to combat the disease?

(*d*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing the number of deaths in the areas of the above-mentioned police-stations during the last 5 years?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) If by the expression "kind of epidemic fever" the member means *kala-azar* the answer is in the affirmative so far as the villages in thanas Muradnagar and Daudkandi are concerned. Rasullabad is a police-station within the Nabinagar thana, where no cases of *kala-azar* could be found by the Assistant Director of Public Health who conducted the inquiry in the Tippera District.

(*b*) An inquiry was made into the matter the result of which is contained in the report submitted by the Assistant Director of Public Health, a copy of which was laid on the Library table in answer to the member's unstarred question No. 80 (*a*), asked at the meeting of the 4th July, 1921.

(c) The inquiry shows that a severe stage of infection has not yet been reached. It rests with the district board to make a thorough survey and to arrange for treatment as suggested in the report of the Assistant Director of Public Health. A copy of the report, as already stated in reply to the member's unstarred question No. 80 (b) (ii), has been forwarded to the Chairman, District Board.

(d) A statement is laid on the table.

Statement showing the number of deaths referred to in the reply to clause (d) of unstarred question No. 56.

Name of Thana.		1916.	1917.	1918.	1919.	1920.
Muradnagar	...	3,932	4,543	6,225	5,287	6,115
Dandkandi	...	4,800	5,229	7,128	6,918	6,474
Nabinagar	...	5,040	4,814	8,304	7,853	7,472

Medical certificates for clerks and menials.

57. Babu HEM CHANDRA BHATTACHARJI: (a) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that in accordance with the provisions of section 30 of the Bengal Medical Act, 1914, and in terms of the Government of Bengal, Financial Department (Medical), Resolution No. 1716 Medical, dated the 15th April, 1916, medical certificates can be granted only by qualified medical practitioners whose names are borne on the Annual Medical List and published by the Bengal Council of Medical Registration?

(b) Is it a fact—

(i) that the labouring classes and low-paid clerks are not able to pay for the services of such practitioners, in simple cases of illness for a day or two;

(ii) that they do not ordinarily call in any kind of medical practitioner, qualified or otherwise, in such cases of illness, and

(iii) that such labourers and clerks go in the first instance to outdoor hospital dispensaries, homœopaths, kavirajes and hakims or depend on the charity of the allopath dispensaries?

(c) Are the Government considering the desirability of issuing a notice authorising all Government, semi-Government aided institutions or institutions that have direct transactions with the State

(i) to forego a medical certificate from a qualified medical practitioner in all cases where the person's salary is not over Rs. 100;

(ii) to accept ordinarily all certificates given by those under whose actual treatment the person was, and

(iii) to accept hospital and other outdoor tickets in lieu of certificates from qualified practitioners?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Section 30 of the Bengal Medical Act provides that no certificate required by law shall be valid unless the practitioner or officer granting it is duly registered.

Medical certificates required by the heads of departments from non-gazetted officers in superior service, are subject to the same restriction.

(*b*) Government have no information on these points.

(*c*) In practice, except in the Secretariat, heads of departments or heads of Government institutions need not insist on the production of valid medical certificates even in the case of non-gazetted officers where, for example, casual leave on medical grounds is sought, and rarely do so in the case of menial employees. Government see no necessity to modify the existing procedure.

Settlement operations at Assassuni, an area in Khulna afflicted with distress.

58. *Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether it is a fact that amins, kanungoes and other staff, numbering 400, have already arrived at Assasuni to commence settlement operations?

(*b*) Will the Hon'ble the Member be pleased to state whether Government are considering the desirability of postponing the settlement operations in that locality?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Settlement operations have commenced in Assasuni thana, but the staff does not consist of more than 25 persons.

(*b*) No.

Veterinary Inspectors.

59. Babu ANNADA CHARAN DUTTA: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) whether it is a fact that, as sanctioned by the Right Hon'ble the Secretary of State for India, the pay of an officer in the Provincial Veterinary Service of Bengal is Rs. 250—750; and

(*ii*) whether the Bengal Civil Veterinary Inspectors belong to the cadre of the said Provincial Service since the creation of the appointments by Government of India letter to the Right Hon'ble the Secretary of State for India, No. 232, of 1907, and as sanctioned by the latter's No. 136 Rev., dated the 23rd August, 1907?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Minister be pleased to state why no effect has yet been given to the scale of pay referred to in (*a*) (*i*) as regards the Veterinary Inspectors?

(*c*) Are the Government contemplating the grant of the benefit of the said scale to the Veterinary Inspectors and, if not, what increase of pay do they propose to give?

(*d*) Is it true that till now the said Inspectors have been granted no increase of pay or compensation in lieu thereof pending the grant of such increment?

(*e*) Will the Hon'ble the Minister be pleased to state whether the memorials from the said Veterinary Inspectors, dated the 10th February, 1921, regarding the revision and increment of their pay have been received by him?

(*f*) If so, whether the same have been disposed of and, if so, with what result?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (*i*) Yes.

(*a*) (*ii*) No.

(*b*) As the answer to (*a*) (*i*) is in the negative the question does not arise.

(*c*) The answer to the first part of the question is in the negative. The question raised in the second part is under consideration.

(*d*) Yes.

(*e*) Yes.

(*f*) The memorials are still under consideration.

Technical Institute at Kanchrapara.

60. Rai RADHA CHARAN PAL Bahadur: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what progress, if any, has been made with the scheme for the establishment of a Technical Institute at Kanchrapara and when the necessary buildings and teaching arrangements are likely to be completed for the commencement of the work of regular training and instruction?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The following arrangements have already been made in connection with the scheme for the establishment of a Technical Institute at Kanchrapara:—

A.—A hostel for the accommodation of fifty resident Indian apprentices has been built at the cost of Government which is almost ready for occupation.

B.—A residence for an Indian Assistant Master has been built at Government expense and is nearly complete.

C.—Government have agreed to purchase, for the use of the Technical Institute, the present railway office building, but this cannot be handed over to Government until a new office building has been erected by the railway authorities. In the meantime classes are being held in other rooms.

D.—A proposal for the appointment of a whole-time Assistant Master for teaching the apprentices is under the consideration of Government. Instruction is at present being carried on by a part-time teacher.

E.—A local managing committee has been appointed.

The time required for the introduction of the complete scheme will depend chiefly on the financial resources available.

Veterinary Assistants.

61. Rai RADHA CHARAN PAL Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether it is a fact that a memorial, praying for a general revision and increase of their scale of pay and allowances, was submitted by the Veterinary Assistants of Bengal to His Excellency the Governor of Bengal some time about the middle of the year 1920?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Minister be pleased to state what action has been taken or is proposed to be taken on the said memorial?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) The memorials referred to were received by Government from the Veterinary Adviser to Government on the 4th April, 1921.

(*b*) They are at present under consideration.

"Abkari" shops.

62. Rai LALIT MOHAN SINGH ROY Bahadur: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing the number of *abkari* shops, district by district, and the revenue derived from them during the last three years?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: A statement is laid on the table.

Statement showing the number of "abkari" shops, district by district, and the revenue derived from them during the last three years, referred to in the reply to unstarred question No. 62.

Divisions and Districts.	1918-19		1919-20		1920-	
	Total number of shops	Total Revenue	Total number of shops	Total revenue	Total number of shops	Total revenue
		Rs		Rs		Rs
Burdwan Division—						
Burdwan	617	1,[illegible]	619	[illegible]	[illegible]	[illegible]
Birbhum	408	3,35,[illegible]	406	[illegible]	[illegible]	[illegible]
Bankura	67	2,21,576	300	[illegible]	[illegible]	[illegible]
Midnapore	477	[illegible]	490	[illegible]	[illegible]	[illegible]
Hooghly	349	7,74,757	3[illegible]	8,93,344	[illegible]	[illegible]
Howrah	204	[illegible]	203	[illegible]	[illegible]	[illegible]
Total ...	2,559	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Presidency Division—						
24 Parganas	549	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Calcutta	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Nadia	177	2,10,471	163	[illegible]	[illegible]	[illegible]
Murshidabad	230	[illegible]	2[illegible]	[illegible]	[illegible]	[illegible]
Jessore	1[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Khulna	138	94,[illegible]	153	[illegible]	[illegible]	[illegible]
Total	1,53[illegible]	91,07,624	[illegible]	9[illegible],37,490	[illegible]	[illegible]
Dacca Division—						
Dacca	1[illegible]1	3[illegible]	16[illegible]	[illegible]	[illegible]	[illegible]
Mymensingh	219	7,[illegible],713	292	[illegible]	[illegible]	[illegible]
Faridpur	82	1,80,50[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Bakarganj	117	2,37,734	[illegible]	[illegible]	[illegible]	[illegible]
Total ..	579	[illegible]	568	17,36,328	[illegible]	[illegible]
Chittagong Division—						
Chittagong	108	1,8[illegible],953	107	[illegible]	[illegible]	[illegible]
Noakhali	28	38,[illegible]75	28	45,327	[illegible]	[illegible]
Tippera	89	2,16,375	93	2,45,[illegible]	[illegible]	2,57,343
Total ...	225	4,43,983	226	5,01,48[illegible]	22[illegible]	[illegible]

Divisions and Districts.	1918-19.		1919-20		1920-21	
	Total number of shops	Total Revenue	Total number of shops	Total Revenue.	Total number of shops.	Total Revenue.
Rajshahi Division—		Rs		Rs		Rs
Rajshahi .	109	[illegible]	109	2,61,297	109	2,79,825
Dinajpur .	134	[illegible]	[illegible]	3,16,659	135	3,41,295
Jalpaiguri .	110	[illegible]	110	3,93,719	110	3,07,290
Rangpur .	188	[illegible]	188	3,[illegible],068	191	3,45,019
Bogra .	74	[illegible]	74	1,[illegible]	74	1,[illegible]
Pabna .	72	[illegible]	72	2,21,782	72	2,21,710
Malda ...	141	2,71,501	142	[illegible]	140	3,29,219
Darjeeling .	86	[illegible]	86	3,42,279	86	3,42,701
Total .	919	[illegible]	919	21,02,711	917	23,54,923
GRAND TOTAL .	6,608	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Statement showing the number of applications for fresh licences and the number of fresh licences granted under the Arms Act for the possession and carrying of firearms as promised in the reply to unstarred question No. 54 asked by Babu Nalini Nath Roy at the meeting of the Council held on the 4th July, 1921.

	Number of applications received during			Number of licences issued during		
	1918.	1919	1920.	1918.	1919	1920
Burdwan	212	372	757	67	242	655
Birbhum	122	232	214	78	115	90
Bankura	95	128	230	66	74	179
Midnapore	95	242	495	73	158	391
Hooghly	294	278	636	151	184	496
Howrah	143	160	378	74	71	276
Calcutta	133	102	3,157	75	74	3,080
24-Parganas	186	341	509	131	306	438

	Number of applications received during			Number of licences issued during		
	1918.	1919.	1920.	1918.	1919.	1920.
Nadia	163	204	281	74	84	248
Murshidabad	125	275	477	71	168	324
Jessore	208	255	345	86	104	233
Khulna	79	62	214	24	22	121
Dacca	134	165	556	75	98	454
Mymensingh	145	233	403	67	120	269
Faridpur	102	75	221	37	69	164
Bakergunj	63	62	288	32	45	256
Chittagong	141	113	302	89	88	117
Tippera	26	9	129	11	90	112
Noakhali	34	37	304	23	15	92
Rajshahi	158	136	263	88	95	178
Dinajpur	130	105	242	84	88	163
Jalpaiguri	77	63	519	18	96	504
Rangpur	93	109	257	88	98	249
Bogra	29	48	183	35	51	146
Pabna	117	77	173	82	42	113
Maldah ...	193	164	339	84	82	223
Darjeeling	46	32	582	46	35	582
Total ...	3,235	4,033	12,334	1,810	2,375	6,513

Motion for the adjournment of the House.

Sir ASUTOSH CHAUDHURI: I asked for leave to move an adjournment of the Council for the purpose of discussing a matter of urgent importance, viz., how a recurrence of interference with business and traffic in the town of Calcutta such as took place on the 17th instant may be prevented. I have obtained such permission, but having regard to what His Excellency has said, I do not propose to make any

formal speech on the matter. The whole matter has been fully dealt with by His Excellency before the Council. Government means to maintain peace and order, and we are here to support Government in all its endeavours to maintain peace and order. I have not the least doubt that His Excellency will have the support of the House in all steps which Government may legitimately take to prevent a disturbance of peace and order

The DEPUTY-PRESIDENT: Has anybody any objection to this motion being discussed?

No objection being taken, the Deputy-President fixed 5 o'clock for the discussion of the motion.

Government Bills.

The Bengal Primary Education (Amendment) Bill, 1921.

The Hon'ble Mr. P. C. MITTER: This is a matter which I hope the Council will have no difficulty in passing as a non-controversial measure. The Council will remember that when the Primary Education Bill was passed into law, the Bengal Village Self-Government Act, 1919, was not on the Statute Book For that reason the words "or the Union Board" was not included in the Act. This short Act only intends the inclusion of Village Union Boards in the Primary Education Act. Section 2 is the only substantive section. We ask that in section 1 of the Bengal Primary Education Act, 1919, after the words and figures "the Bengal Local Self-Government Act, 1885," the words and figures "or under section 5 of the Bengal Village Self-Government Act, 1918," be added, and after the words "the Union Committee," the words "or the Union Board", be added.

The Secretary then read the title of the Bill

The Hon'ble Mr. P. C. MITTER moved that the Bill be taken into consideration

The motion was put and agreed to

The Hon'ble Mr. P. C. MITTER moved that the Bill be passed.

The motion was put and agreed to.

The Bengal Aerial Ropeways Bill, 1921.

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I beg to move that permission be given to introduce the Aerial Ropeways Bill, 1921.

The reasons for the introduction of this Bill are as follows. The provisions of neither the Railways Act nor the Tramways Act apply to ropeways, and the only act of the Indian Legislature which affords

Government any kind of control over ropeways is the Land Acquisition Act, since, under that Act, Government would have to decide that any proposed ropeway was necessary for a public purpose before the provisions of the Act could be applied. Even as regards construction this would appear to afford an inadequate degree of control, since it is possible that the promoters might acquire land necessary for the purpose of a ropeway by private negotiation, while, as regards working, the existing legislation affords no control. In these circumstances it appears that the time has arrived to frame an Act on the lines of the existing Railway Act for the control of ropeways. At first sight it might appear that a ropeway is more akin to a tramway than a railway, and for this reason the proposed Act might have preferably followed the lines of the Tramways Act, but it is considered that for the following reasons ropeways are more likely to resemble railways in the purpose for which they will be constructed, and in the actual work which they will have to perform. Ropeways are likely to be constructed primarily for the conveyance of goods, the carriage of passengers, if undertaken at all, being subsidiary to this line of business. They will also as a general rule be constructed with a view to connecting towns, villages and other centres of production with railway stations, or with centres from which other means of transport are available. Ropeways will not in ordinary circumstances lie within the limits of a single municipality.

In accordance with the original decision that there should preferably be an All-India Act for the Government control of ropeways a Bill was drafted by the Railway Board; it incorporates the points which the Railway Board considered necessary to provide adequate administrative control over the working of ropeways. The position of the Government of India in the matter of ropeways has, however, been modified by the Reforms Act. Under the division of functions, ropeways which are not of military importance become a provincial transferred subject and are not, therefore, subject to the jurisdiction of the Government of India. In consequence of the altered situation, and in view of the recent transfer to local Governments of the control of ropeways, the Government of India are of opinion that the necessary legislation on the subject should now be undertaken by the individual local Governments interested. In accordance with these views a copy of the bill drafted by the Railway Board was asked for and the instructions of the Railway Board regarding modifications in their draft Bill were incorporated in the Bengal Aerial Ropeways Bill now before the Council.

The motion was put and agreed to.

The Secretary then read the title of the Bill.

The Bengal Children Bill.

The Hon'ble Sir ABD-UR-RAHIM: I beg to ask the permission of the House to allow the motion that the Bengal Children Bill, 1921, be

taken into consideration, be postponed till the January session. I am sorry to have to adopt this course inasmuch as this measure has been already very much delayed. It was under consideration of the Government for the last 7 or 8 years and we thought that it was at last time, that it should be passed, but unfortunately, we find, that a very large number of amendments, as many as 193, have been put in. Of these about 22 or 24 which are of a substantial character require the previous sanction of the Government of India before they can be taken into consideration at all. This is by reason of section 80A (3) of the Government of India Act which says—

> The local Legislature of any province may not without the previous sanction of the Governor-General, make or take into consideration any law regulating any central subjects or altering or repealing the provisions of any law which having been made before the commencement of the Government of India Act, 1919 by any authority in British India other than that local Legislature is declared by rules under this Act to be a law which cannot be repealed or altered by the local Legislature without previous sanction.

In Schedule I of the Devolution Rule we find that the Central subjects include all criminal law including criminal procedure, and in Schedule II we find that the Indian Penal Code and the Code of Criminal Procedure are laws which cannot be altered in any way without the previous sanction of the Government of India. These amendments have been put in very late and we had a great deal to do to have them in order and to see which of these amendments required the previous sanction of the Government of India, and which not. We have been able to go through them now and we find that about 22 or 24 or them require their sanction. Of course, one course that might have been open to us was to refuse to allow these amendments to be moved on the ground that they had not been sent in time to enable us to obtain the sanction of the Government of India, but it strikes us as possible that many members might not have known that these amendments required the previous sanction of the Government of India and I thought that it would not be right to shut them out from discussion especially as some of them might have the effect of improving the Bill. It is to be regretted that the Bill, after it has been passed by the Select Committee and after the report has been so long before the public, should have to be postponed again. The Bill has elicited considerable interest and if I am not mistaken, the public are anxious that it should be taken into consideration as early as possible and be passed into law. However, as matters stand I have to ask that the motion may stand over till the next sitting of the Council so that we may hear from the Government of India in time as to which of these amendments would be sanctioned by them.

The DEPUTY-PRESIDENT: I ask the permission of the Council that this Bill may stand over and in doing so I want to say a few words. The Government themselves have in my opinion rightly asked for the

postponement of the consideration of this Bill to suit the convenience of the members of this Council as the provisions of section 80A (3) of the Government of India Act do not appear to be fully understood by the members. The report of the Select Committee on this Bill was placed in the hands of the members on August 29th. For more than two months after that, no motion for amendment was sent to the Legislative Department.

Mr. D. C. GHOSE: May I rise to a point of order? Is it open to the Chair to give expression to an opinion regarding the adjournment that has been prayed for?

The DEPUTY-PRESIDENT: That is a criticism of the Chair and not a point of order.

It is not regarding the adjournment but about the procedure which will have to be followed by the Members of this Council with reference to the sending in of amendments. I would ask the Members to take due steps in future in the case of any amendments which may require the previous sanction of the Government of India to send in notice of the amendment in time to get the previous sanction of the Government of India. Unless such previous sanction is obtained, the amendment is out of order and cannot be moved in the Council. It is unreasonable to ask the Governor-General, who has to deal with the legislation of many Provinces, to take up and examine and sanction a large number of amendments without time for proper scrutiny. When members themselves have had ample time to put them in in time for examination and have failed to do so, the Chair will have no option but to disallow such amendments before sanction is obtained to their being moved.

Motion for the adjournment of the House.

The "Hartal" of the 17th November in Calcutta.

The DEPUTY-PRESIDENT: It is now time to take up Sir Asutosh Chaudhuri's motion "that the House do now adjourn."

The matter for discussion is as follows: How the recurrence of interference with business and traffic in the town of Calcutta such as took place on the 17th instant may be prevented.

Sir ASUTOSH CHAUDHURI: I move that the House do now adjourn.

I have already said that after His Excellency's speech to-day, there is nothing more for me to say on the subject. Calcutta was anxious to know what was going to be done. Unlawful interference with business and traffic cannot be permitted. The Government have taken steps and the Governor has asked that he should have the support of the House.

with regard to the action which the Government intend taking or has taken to see that peace and order are not disturbed. So far as that is concerned, the House is here to support the Government to maintain peace and order. I have not the least doubt that His Excellency will have the support of every one here with regard to all legitimate methods adopted for preserving peace and order and for safeguarding the liberty and privileges of the subject. After His Excellency's speech it is unnecessary to proceed with my motion, and I intend to withdraw it. I understand, however, that some members intend to speak on the subject and after they have done so, I shall withdraw the motion.

Maulvi MAHAMMAD MADASSUR HUSSAIN: I rise to a point of order. If the member has decided to withdraw the motion other members should not be allowed to speak.

The DEPUTY-PRESIDENT: The discussion may be taken up by other members and the motion cannot be withdrawn except by leave of the House.

Maulvi EKRAMUL HUQ: The thing that has come up before us has come up all on a sudden and we have not had the opportunity of going through all the details in order to arrive at a proper conclusion and in order to find out to what extent we should lend our support to Government. While we know that there was lawlessness, from the papers we understand that there was lawlessness on both sides. But if we are to give unbridled authority to persons, it is quite likely that that authority may be at times abused to the detriment of public interest and safety of the public and as such I should think that instead of discussing it in hot haste, we should have it postponed for a day in order to find out the best line we should all take in this matter. We know that difficulties have arisen out of various causes and there is not one here who would not like that those causes should be removed. That seems to me the first step which the Government ought to take in this matter and after that if there were to be lawlessness, or anything of the sort, the whole country will be at the back of the Government. So, I should think that the learned mover should give us some opportunity of considering the matter and it would be better if he would agree to the postponement of the motion till to-morrow.

The DEPUTY-PRESIDENT: It is a matter of urgent public importance and I do not think I can postpone it. Leave was granted only this afternoon because members were anxious to discuss it this evening.

Mr. R. M. WATSON-SMYTH: I do not propose to take up the time of the Council at any length in supporting this motion. My object is merely to associate myself, and those whom I represent, with the Government of this Presidency in their efforts to restore law and order

in this City, and to protect those whose personal liberty of action is threatened by illegal organizations. I welcome this motion as an opportunity for loyal subjects to declare their sentiments.

It is not necessary for me even to touch on the history of the last few months, and the rise to power of the Non-co-operation and Khilafat organizations, culminating in what may be called the debacle of Thursday last. Let it suffice to say that we have all watched it with apprehension, that we were lulled into security by the assurances that the higher authorities had the matter well in hand, and that we are all bitterly ashamed of what happened when the crisis came. Nothing in the history of Calcutta for many years has stirred popular feeling to the extent which Thursday's *hartal* stirred it. Public opinion demands that nothing should be left undone and untried to root out these illegal organizations, and to restore the Government of this City to the hands of those who are recognized by Law.

The object of this motion, as I see it, is not to criticize. It is no use trying to apportion blame for what has been done, or left undone in the past, and which has resulted in the present state of things. We cannot however fail to be filled with a mixture of two emotions: indignation and pity. Indignation at a policy, which initiated thousands of miles from the centre of the trouble, has caused the present crisis to be possible, and pity for the victims of that policy, especially the Police who are sent out unarmed and unsupported to face a howling mob, to be mutilated by brickbats and beaten to death by openly avowed revolutionists, in alliance with the scum of the Calcutta slums.

I said "openly avowed revolutionists" and that, Sir, is the crux of the whole position. On the day after Thursday's *hartal*, one of the best known of the extremist papers wrote with satisfaction that even if Government refuse to realize it, it was patent to all that Thursday's *hartal* was revolution. In this we all thoroughly agree. Revolution was indeed writ large over all Thursday's proceedings. Revolution is what these things mean, and as revolution they must be dealt with. For months, aye for years past, the public have been urged to be patient, and recently even in the highest quarters we have been told that the revolutionary movement is dying out, and we are invited to witness the fruits of this policy of patience. On Thursday last we did indeed taste these fruits, and we want no more of it. The steps which Government propose to take, and which have been so strongly outlined by His Excellency, are only those which are necessary to put down these organizations. If they are not put down, the real Government of this country will most assuredly change hands as it did temporarily last Thursday, and this Legislative Council itself will become a farce. It is hardly necessary to emphasise that all loyal and law-abiding subjects will support the Government in every action they see fit to take to bring this end about, and if our services are required, and in this I feel quite confident that I am speaking both for Indians and

Europeans, I say, if our services are required, we will unhesitatingly and unconditionally place them at His Excellency's disposal.

Mr. H. A. STARK: I think we all agree that we are faced this evening with a difficulty which cannot be said to have been sprung upon us. The trouble has been in our midst for sometime, and I cannot conceive of anybody who has not had his thought compelled to consider what steps may be taken to combat the evil. Nothing much I think is required of this Council except to endorse what His Excellency the Governor said here, and to assure the Government of our entire, whole-hearted and energetic support in any action that they might take to meet the position which has been forced upon them. One cannot help recalling an expression, rather an apothegm of Milton—"When evil men unite, good men must combine." This is what we are called upon to do. As law-abiding citizens and true, we feel it our duty to support the measures which are about to be taken to suppress the anarchy that is rampant among us. Speaking on behalf of the community to which I belong, I am glad to be able to assure the Government, that they will stand by Government to a man. Indeed that there are a very large number of people in this Province—almost the whole of Bengal—who are ready to range themselves on the side of Government in any measures that might be taken. The services of my community are at the disposal of Government.

Dr. HASSAN SUHRAWARDY: In this crisis I feel it is the duty of this Council and of every law-abiding citizen to support the Government in all its legitimate efforts in maintaining law and order. Let the unanimous voice go forth from this Council which will reach right into the heart of the country. In the words of His Excellency let no one sit on the fence any longer. Let us hope that a definite and peaceful step will be taken and the Government in its turn will no longer sit on the fence. The present circumstances have resulted in making the position of the law-abiding population one of delicacy and difficulty. The evil can, if no check is put upon it now, and will, grow to fearful proportions. The Persian poet says [here the speaker quoted from a Persian book of poems]. That is to say, it means that a small plant which has taken root just now can be pulled out with ease; but if it is allowed to grow for some time, it will require the strength of an elephant to dislodge it from the soil. A small stem which takes its roots into the dust to-day will become irresistible with potentialities of sapping the foundation of an empire if allowed to grow on.

Babu NITYA DHON MUKHERJEE: As a representative of the town of Howrah where very recently a riot took place, I feel it my duty to say a few words. I sent notice of a motion for adjournment, but as the matter is *sub judice* my motion was not admitted.

All these incidents have been taking place since a long time, but it is the patience of Government which is responsible for all these

which have at last culminated into a riot. It is on the 17th November when the great leader expressed his regret that the Government began to take action. I think it is the duty of every law-abiding person—every one of us—to assure the Government of our sincere help in restoring law and order on legitimate grounds, but beyond this there is one thing which the Government may be pleased to consider. The root cause of all this is the economic distress of the country. The country consists of a large number of middle class men, and there is a general dissatisfaction among them on account of this economic distress. Before this economic condition came into being, these people were always on the side of Government, but for some reason or other they came to hold themselves aloof. They were also afraid that they might not get sufficient help from Government even if they wanted to co-operate with Government in the act of restoring peace and order.

Mr. RAZAUR RAHMAN KHAN: There is no denying the fact that a serious situation has sprung up. It was only the other day that we witnessed the spectacle of the whole city of Calcutta intimidated and its peaceful citizens—most law-abiding citizens—forcibly prevented from attending to their duty. Let the Government of Bengal know that in all measures that it might take it will have the whole-hearted sympathy of the Council. But at the same time I venture to think that Government will consider the feelings of the people of the country before deciding on any final measure to ease the situation. Let not the measure be one of repression; all other kinds of propaganda will have the whole-hearted sympathy of this Council.

With these words I beg to support the adjournment.

Kumar SHIB SHEKHARESWAR RAY: We are grateful to Sir Asutosh for affording us an opportunity to discuss the policy of the Government in this matter. It goes without saying that every one who is for peace and order would support the Government in all that is required of them to suppress disorder and crime. But, Sir, at the same time, as a nationalist, and as a representative of the people in this Council, I must say that nothing should be done in a panic. Nothing should be done which would unduly interfere with our right as a citizen of a civilized country. In our desire to suppress disorder and crime we should be very careful that we do not launch in an era of double-edged repression. Let not the so-called "Goonda Raj" be replaced by a terrible "Gurkha Raj." Sir, I do hope that in all that is done in this connection the Government should not only consult its officials but also the representative non-officials even if they might hold extreme political views.

Mr. H. BARTON: My colleague, Mr. Stark, has already given expression to his views and I heartily support all that he has said. Without desiring to unduly take up the time of the Council, it is only necessary to say that His Excellency the Governor has placed the whole

question before us so clearly that no words of ours could add any greater force to what His Excellency has already told us. We have to face the facts; as they are. These facts are that attempts are being made by certain people to defy the Government of this province. We, as members of this Council, forming a part of the Government, dare not allow it to go any further. Speaking for my own community I wish to say that the Government can always rely upon our ranging ourselves on the side of law and good order and anything that Government may see fit to require of us. I am prepared to say that my community is ready to respond to any call that Government might make on it. Of course there will be other views before the Council but this is not the time to consider anything outside the position as it really is to-day, but whether or not drastic measures are necessary to put a stop to it before it goes any further. No measure at this juncture can be considered too drastic in order to bring back normal conditions. I should like to say something about the unenviable position in which we find the police force. In this respect, I think the time has come when the police should be given a free hand. The police force should be protected, against being made targets of, assaulted and treated in the manner in which they have been, and it is time for the Council to consider whether or not the police force should be given a free hand as the only means of securing peace for this city. I support the views expressed by the previous speakers in regard to any measures that may be found necessary to give effect to the wishes of His Excellency the Governor.

Mr. HUSEYN SHAHEED SUHRAWARDY: Government will have to decide before long what policy to adopt at the present juncture. There are two courses open: relying upon its might, secure in the fact of its omnipotence and vast organisation, it may adopt towards the people a policy of repression, or it may approach the whole question in a sympathetic manner anxious to allay the fever of unrest and discontent before it finally resorts to violent measures. Let not Government sit idle and allow events to take their course and then on the plea of preserving peace and order resort to violence and demonstrate to an exasperated and humiliated body of people their weakness and their helplessness. To our mind the primary duty of Government is not so much to preserve order as to create conditions so that the people do not feel inclined to agitate or express their views in a violent manner. The member representing the Chamber of Commerce is not aware of the fact that this agitation is not confined merely to the scum of Calcutta but is flung far and wide and effects millions of our countrymen, millions of our brothers and sisters. But matters no doubt have gone too far, and the legitimate measures of the Government to suppress lawlessness and disorder have always had and must always have our hearty support. On the other hand, we require certain pledges from the Government before we accord our support to

the measures. Government must stoop to understand the people, and then only will the people respond to the measures. Government must not suppress legitimate organisations, and legitimate avenues of expressing the agitated feelings of the people, and they must not resort to too much violence. It is easy enough to arm the police; it is easy enough to take away the lives of the unarmed people, but we have found to our bitter experience that the police do not know how to use arms and when to use arms. We are appalled at the sentences which have been passed upon the non-co-operators, we have been appalled at the treatment meted out to the political prisoners, we are appalled at the way that the police have brushed and shot the unarmed and helpless masses. On the other hand, the people—the non-co-operating section of the people—did not move. Again I say that in spite of the attempts of the police on the 17th of this month to provoke the populace to fury—the results of which if it had occurred, can better be imagined than described—the people remained quiet. Do not, I say, excite the people and then rush on them with your armoured cars, bayonets, your machine-guns and soldiers, and try to allay the fury which you yourself have aroused. Do not refuse to give to India what is her right. The question of Khilafat for which the Muhammadans——

The DEPUTY-PRESIDENT: I call the member to order. The matter for discussion is to the effect as to how the recurrence of interference with the business and traffic in the town of Calcutta such as took place on the 17th of this month may be prevented. That is the matter before the House. The question of the Khilafat is not before us.

Mr. HUSEYN SHAHEED SUHRAWARDY: I beg to submit that what I have stated strikes at the root of it. The Government rights wrongs, and I ask the Government to right all those things which have initiated the present impasse so that they might be prevented once and for all. Let the Government of Bengal represent to the Government of India, and let that Government represent to the Home Government in England——

Mr. F. A. LARMOUR: Order, order, that cannot be discussed.

The DEPUTY-PRESIDENT: That is not the question before the House.

Mr. HUSEYN SHAHEED SUHRAWARDY: I was merely suggesting a remedy for preventing these evils and I believe the resolution is with reference to what is to be done to secure that end.

The DEPUTY-PRESIDENT: But the matter before the House is the prevention of the recurrence of interference with business and traffic in the town of Calcutta.

Mr. HUSEYN SHAHEED SUHRAWARDY: Let the Caliph rule once more in Constantinople——

The Hon'ble Sir HENRY WHEELER: I rise to a point of order.

Mr. HUSEYN SHAHEED SUHRAWARDY: I bow to the Deputy-President's ruling. Perhaps the Government are not aware of the fact that it is their duty to heal the desperate feelings of the people of Bengal which this movement has caused, and if Government can root out this present discontent, they will have the eternal gratitude of the party of co-operators.

Babu ANNADA CHARAN DUTTA: The question before the House, to my mind, raises a question of policy which is not only applicable to the metropolis but also to the mufassal under similar circumstances. Though I come from distant district, I am equally and vitally interested in the proper solution of the question that has been raised. To my mind, instead of doing certain patch work in the shape of repressive measures, which perhaps underlies the idea of strengthening the hands of Government for the purpose of preventing the recurrence of things raised in this motion, we ought to go a little deeper. Why don't we discuss the root cause of this *hartal*? What is it that has led an important section, a powerful section of the people, to lord it over, and, at any rate in the heart of the metropolis, to do things which are not palatable to the law-abiding citizens? Why do not you find out the remedy? If you can diagnose the causes, certainly there would be a remedy forthcoming; you will be able to know what should be the guiding policy in the matter. I have had experience of this sort of things for a pretty long time. In Chittagong, *hartals* are very common and are always petty. Personally, I have been subjected to many inconveniences there, but at the same time I have found out that instead of really trying to oppose these things, if you sometimes allow the excesses of a certain party to go on, these very excesses themselves will estrange the feelings of the saner section of the people. With the advice of a certain political leader, at whose feet I learnt many things, I succeeded in gathering round and rallying perhaps the strongest section in my district. At the same time it is regretable—I will not mention any particular event—that sometimes some indiscretion on the part of the authorities the whole thing gets deranged. Therefore the policy which ought to guide Government in these circumstances should be carefully discussed and devised. It is not the repressive measures that will do, neither will too much patience on the part of Government do. Instead of adopting repressive measures—measures which may be found to be hard on the people—we, as representatives of the people in this Council—whether Nationalists like the Kumar

Bahadur or otherwise—we, who want to co-operate with Government, should find out which is the best way to cope with the situation and remove the real cause of discontent and irritation of the people.

Babu NIRODE BEHARY MULLICK: The situation has been closely analysed by several speakers and I do not think that any words of mine are necessary to give a fuller account of it. I have a feeling in my mind that the policy ushered by Lord Chelmsford is not a sufficient or an equitable policy. The present movement of non-co-operation is fast getting beyond the limits of non-violence although the leaders pretended that it was not. It is apparent as Mr. Gandhi himself admits that it is becoming more and more violent. I therefore congratulate the Government on its readiness to take action—although at too late an hour—to bring the situation in hand. Freedom of speech and liberty of the individual are the precious heritages of every individual associated with the self-governing countries. I would simply ask the non-co-operators: "Does their movement guarantee all these?" If it does not, I do not see why I should be called upon to part with these precious rights.

Rai JOGENDRA CHUNDER GHOSE Bahadur: At the very outset, I must mention that I disagree with my friend, Mr. Suhrawardy, when he said that the primary business of the State is not to keep peace and order and I also disagree with Mr. Barton when he said that no measure can be too drastic to put a stop to the present condition of things. Extremism on both sides must be avoided. His Excellency the Governor has called upon the members of this Council to induce their constables to stand against lawlessness. So far as my constituency is concerned it must have been plain to every body that the pleaders, teachers and other graduates of the province the great majority of them did not take any part in the events of the 17th of this month. The educated community of this country is surely for peace and order. Their education however casts a responsibility upon them, and that responsibility is that they should exert their influence to protect their less informed countrymen from being oppressed and hardly dealt with. They are grieved to find that their countrymen are shot by hundreds by bullets. They are equally grieved to find that the guardians of peace are battered to death. This state of things has been brought about by many circumstances. I do not for one moment agree with my friend, Mr. Suhrawardy, that Khilafat is the cry for Bengal at least. What have we to do with the Caliph at Constantinople? What have Bengal Muhammadans to do with the Khilafat at Constantinople? (Several voices: Order, order.)

The DEPUTY-PRESIDENT: The member is not entitled to make any references in that connection.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I am very sorry indeed that Sir Asutosh Chaudhuri thought it fit to bring this question before the Council and to raise the feelings which ought not to have been raised. I was going to tell you that this state of things has been brought about not by the Khilafat alone, but by many other causes—by the economic conditions and by the national aspirations of the people for higher dignity, for higher powers and for a higher place in the commonwealth of the nations. Therefore, the educated community to a certain degree, no doubt, sympathise with the efforts, misguided though they might be, which might lead to the improvement of their condition. That sympathy is quite natural, and I will not be false to myself if I say that that sympathy is not felt by me. But at the same time I must say that the country must be kept quiet. I do not believe for one moment that the Government is not able, with the law as it now stands and with the resources at its command, to keep order. Though His Excellency has said that he shall take drastic measures, I do not think that such measures are justified. The summary laws, the Rowlatt Act and others which were passed in a state of panic have all been repealed and therefore I say that more drastic measures are not necessary but peace and order must be preserved.

Maulvi YAKUINUDDIN AHMED: I think there cannot be two opinions with regard to the motion of Sir Asutosh Chaudhuri. To put a stop to traffic, to put to inconvenience people and the travelling public, to inconvenience women and children by stopping vehicular traffic is a serious matter and must be deplored by all. Is this the way in which we are to keep the peace and order of the country? The non-co-operators should not have interfered in these matters. People should not have been interfered within their peaceful avocations. They were put to all sorts of indignities. Is this a sample of non-violent non-co-operation? The Rai Bahadur says that his constituency, *i.e.*, the educated people, are not with them. But one ought not to mince matters. We ought to realise the gravity of the situation. There are are many graduate non-co-operators in the mufassal.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I do not think they are more than 25 per cent.

Maulvi YAKUINUDDIN AHMED: It may be 25 per cent. or more but there was a complete *hartal* on the 17th. It is the educated people who took part in closing the shops and not the hooligans—nor the Khilafatists alone who are solely responsible for this grave situation. Picketing was done mostly by educated people and hooligans and we ought not to mince matters in this way. We ought to admit that it is the doing of the educated people who set up the scum of the people—the hooligans of the town—but found themselves quite

powerless to check their excesses. Had they any control over the unruly element—such outbursts of racial animosity as occurred in Bombay would not have been possible. Even Mr. Gandhi could not prevent the hooligans of Bombay from inflicting such indignities and outrages on peaceful citizens. I think therefore it is the bounden duty of every one—educated and uneducated—that peace and order should be preserved everywhere—in this great city as also in the mufassal district towns; and with regard to this there cannot be two opinions. I am confident that the whole House will whole-heartedly support Government in their measures for restoring peace and order.

Babu SURENDRA NATH MALLIK: I consider that this discussion should not have been invited. It would naturally take away much from the effect of His Excellency's forcible observations and particularly that part of it where he appealed to those concerned to stop, consider and realise the effects of lawlessness if it comes to stay. There can be no doubt that it is the duty of every good and law-abiding citizen to join Government in its efforts to put down high-handedness and rowdyism. I would certainly associate myself with all such steps which the Government might be advised to take in order to attain that object, when things in this country are really so serious that it is required that steps should be taken in that behalf. I do not like to discuss political theories now, and this is not the occasion for it. The question now before us is whether we should effectively stop rowdyism or lawlessness. So far as that question is concerned, there is not the slightest doubt that every good and honest citizen and every person who wishes to live peacefully does desire that this state of things should be put an end to. This is not a question of Khilafat or any other political creed and that must be clearly and distinctly understood. There is no question of party in this matter at all. Disorder is bad, bad for Hindus, bad for Muhammadans, bad for Europeans, bad for everybody, bad for men, bad for women, bad for my mother, bad for my wife and bad for my children. It must be stopped and there is no question about that. But what I fear is that as soon as steps are taken in this behalf there is every likelihood of oppression being committed in no time in the name of stopping hooliganism by over-zealous officers anxious to make a name. True it is that it is absolutely necessary to suppress hooliganism, but there is a great apprehension that when once on the move many things are likely to be done in the name of law and order, the real objective of which is to check the legitimate expression of views and honest criticisms on Government policies at public meetings or otherwise. Put down hooliganism by any means and in every way—every good citizen will welcome it, but do not try to smother legitimate expression of national aspirations or national ambitions in words or acts on the part of the people by repressive measures, for in that case you would lead the country to a worse condition. I am sorry I am not one of those

who can support the policy enunciated by my esteemed friend, Mr. Barton, and his policy is, I take it, that the police should be given a free hand. I congratulate Mr. Barton on the fact that he is a European, white-skinned, the police would not therefore touch him. He can afford to say that; but I am a dark-skinned child of the soil, and I cannot afford to say that. This I strongly protest against, as it is an idea which is in the highest degree mischievous and fraught with all possible danger. The latest instances of that are to be seen in what the police did in the riots which occurred at Kalighat and Howrah. I need not go into the merits of these cases. I do not for a moment consider or ask you to consider as to whether they were right. The highest authorities have said that we always take it that the Government and the police are wrong. I take it upon myself to say that when I have positive facts to show that I am right, as I succeeded in showing some time ago in connection with some other matter, I am not prepared at the present moment to say that with regard to Kalighat or Howrah, as I have not got all such facts in my possession. But this outstanding fact remains that shooting was resorted to in both those cases by the police. I am not one of those who are even prepared to say that on no occasion should the police shoot. Being a lawyer I am free to admit that there may be occasions when the police can do nothing but shoot in order to repel an illegal force by legally and lawfully constituted force to give protection to people who require such protection—that is absolutely certain. But I do say, that this irresponsible use of firearms cannot be sufficiently denounced and in these two instances nobody took upon himself the responsibility of saying that he gave the order to fire.

The Hon'ble Sir HENRY WHEELER: I rise to a point of order. Are we discussing the merits of the occurrences at Howrah on the 4th October or the merits of the occurrence on the 17th of November?

The DEPUTY-PRESIDENT: The matter before the House is to the effect: how the recurrence of the interference with public business and traffic such as took place on the 17th of November may be prevented. It has nothing to do with the occurrences at Howrah or at Kalighat.

Babu SURENDRA NATH MALLIK: Does it preclude me from referring to anything that happened previous to the 17th either on this side of Calcutta or on the other side of the river? Under what rule has the objection been taken by the Hon'ble Sir Henry Wheeler that while speaking on the incidence of the 17th at Calcutta, I am debarred from referring to anything that happened previous to that day or on similar occasions. When one hon'ble member has suggested that the police should be given a free hand and when I say that the police ought not to be given a free hand, I would like to know how I could be shut out from giving my reason as to why I say so.

The DEPUTY-PRESIDENT: The only question before the House is how to put a stop to the recurrence of the interference with public business and traffic in Calcutta and we have nothing to do with the Kalighat and Howrah incidents.

Babu SURENDRA NATH MALLIK: I will not refer to these incidents by taking the names of "Kalighat" and "Howrah." I would only say that in the history of some recent incidents the outstanding fact remains that the police officers had not the moral courage of taking upon themselves the responsibility of saying that they had given the order to fire. This is not the case in which the Indian police were concerned but the European police did it in Calcutta and Howrah.

The Hon'ble Sir HENRY WHEELER: The hon'ble member is continuing his arguments about the incidents at Kalighat and Howrah.

Babu SURENDRA NATH MALLIK: European police did it somewhere and although they did it nobody had the courage to come out and say that he did it. Nobody has taken upon himself the responsibility of saying that under his orders the fire was opened. After all this I, on behalf of the people who have sent me here, am bound to protest against any such enunciation of such a dangerous policy as that of giving the police a free hand (hear, hear). The police does not deserve it anywhere in the world, not certainly at least in India, and I am not prepared to endorse this policy. My humble submission to you is this: by all means control hooliganism, but control hooliganism and police both with a strong hand and there the safety lies.

Mr. AJOY CHUNDER DUTT: It seems a pity that we have been asked to give our opinion with reference to an occurrence which took place in Calcutta on the 17th instant. I say it is a pity because although I happened to be in Calcutta I frankly confess that I have not been able to make up my mind as to how much of the stoppage of the traffic and stoppage of work was spontaneous and how much of it was brought about by intimidation. I questioned a very large number of people and many of them said that they willingly observed the *hartal* because of the *hukum* of Mr. Gandhi and they were not inclined to disobey it. They also said that unless they closed their shops their property would be looted and destroyed. For this reason I have not been able to form an opinion as to whether the actual stoppage of business, namely, the complete *hartal* as was observed that day, was the result of intimidation. Now there is no question that every sane individual desires that we must preserve law and order. Law and order must be preserved and hooliganism must be crushed. But I fail to see how, if three-fourths of Calcutta were to close their shops and to refuse to run taxis or *kicca-gharries*, coercive measures would be of avail to prevent a repetition of the *hartal* that occurred on the 17th instant. That seems to me to be the real difficulty. His Excellency has asked us

to support Government in the measures which Government might think fit to adopt. If coercion is necessary I am sure every one of us will rise and support the Government. But as it often happens the Government may think that in a particular matter a particular measure of coercion is necessary, while others may reasonably think that such measure is drastic and unnecessary. Therefore, I for myself cannot say that I will support every measure of coercion which Government might choose to adopt, but I do certainly say that peace and order in Calcutta and in Bengal has to be preserved. Unfortunately this non-co-operation movement has ceased to be non-violent. If that movement had been confined within the limits of non-violence, it would have been well but unfortunately there have been cases where the principle of personal liberty has been grossly infringed. I am of opinion that the principle of compulsion is a very mischievous doctrine of non-co-operation if it is one of its doctrines. Mr. Gandhi has denied it, but his followers apparently seem to think—whether you are non-co-operators or not—you have got to obey their order even against your own wishes. That seems to be a very mischievous doctrine. The question I desire to ask is—what are we to do if on the occasion of the Prince's visit to Calcutta the non-co-operators celebrate the *hartal* on the 24th December, and how is that to be prevented? If three-fourths of Calcutta unreasonably, as I say, were to observe *hartal* on that date and close their shops and stop all traffic, how will coercive measures help us? That seems to me to be the real difficulty. I am willing to support Government in any measure for the purpose of securing peace and order, but I do not think it advisable to get rid of the tyranny of Mr. Gandhi and come under the tyranny of Gurkhas, as has been well said by a member of this Council.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: As a representative of the working classes I have talked this *hartal* matter over with many Jute Mill Sirdars, to ascertain the workmen's attitude towards acts of intimidation openly practised last Thursday. The Jute Mill coolies have been led astray and used as pawns by Khilafat workers on Thursday. There is now a real feeling of repentance among them that they lost their day's wages for joining a *tamasha* in which they had no real interest. They were practically coerced to take part in proceedings which in their heart of hearts they knew to be no good to any one. I therefore appeal to the public and to the Government not to be carried away by panic but devise cool and calculating measures to wipe out the hooliganism of the city and reassure the public. I talked this matter over with a Khilafat leader about this *hartal* and pointed out the tremendous loss in wages to the poor working men. He said that *hartal* was a training for a national strike that is coming later on. I asked him what will follow this pending national strike. He said that *swaraj* will come. I queried if complete independence does come what

will be the fate of the industrial workers when British capital is withdrawn. He said that they will take to the plough and till the soil and he eventually confessed that workmen are meant to suffer. That is the attitude of the leaders of the *hartal* movement and sooner the workmen realise it the better would be their fate and they would discard them as enemies in the garb of friends and benefactors.

Maulvi MUHAMMAD ABDUL JUBBAR PAHLOWAN: I am sorry to oppose the adjournment of the House for the discussion of the *hartal* of the 17th instant. No information has been given to this House of any occurrence of any violent action on the part of the volunteers. As for myself, I know the *hartal* has been entirely voluntary, and it was not brought about by any violence. I am going to oppose the speech made by my friend, Mr. Barton, who proposed that the police should be given a free hand. I know that if this policy be adopted, it will only lead to more serious results. With these words I protest against the motion for adjournment of this House.

Mr. SYED NASIM ALI: I have listened to the various speeches of the various members of this Council, but as far as I have been able to gather, I find there is absolutely no difference of opinion on the question that law and order must be maintained. Some of them naturally differed as to what measures should be adopted. Some members have suggested that we should go to the root cause, the broader question. Others have suggested that the incident of that particular day has got no logical connection with the other broader questions which might be agitating the whole of India. But the point for discussion is a very short one. We are concerned with the question as to how we can prevent a recurrence of such *hartals*. That is the only point at issue. Now, it seems to me that the *hartal* of the 17th was rather, and in some way, an opener of the eyes of that class of the citizens of Calcutta who, in their heart of hearts, were in sympathy with the non-co-operation movement and with *hartals*, but were not courageous enough to join that movement. It has really opened the eyes of the middle class who want to follow their legitimate avocations in life. I noticed one particular incident and that speaks volumes. A certain doctor was travelling in a motor car on that day. All over his car he posted the word "Doctor," as if there was some sort of suggestion that doctors might be allowed to move about freely. As this gentleman was passing, some people came up and tried to stop him; there were no Khilafat or Congress volunteers about at that time. Almost immediately two Khilafat volunteers came on the scene, and decided that as he was a Doctor he should not be stopped. These people would not listen and insisted that everybody, whoever he may be, should stop work on that day. After a good deal of persuasion on the part of the Khilafat volunteers the Doctor was allowed to proceed, but not until he had

changed his hat for a Gandhi cap. These things rather go to show that this is nothing but pure Bolshevism; and that non-co-operation or *hartal* is absolutely impossible with the hooligans or lower classes, and I think Mr. Gandhi has also acknowledged this. Therefore, I think, the best method of preventing a recurrence of such incidents would be to make such arrangements as would enable those who want to follow their legitimate avocations, to do so and to help them to carry out their wishes. I believe Mr. A. C. Dutt said he was absent from Calcutta on that day——

Mr. AJOY CHUNDER DUTT: That is not correct; I said I happened to be present in Calcutta on that day, and I made inquiries——

Mr. SYED NASIM ALI: After inquiries my friend came to learn that most of the people joined the *hartal* voluntarily, and others because they were threatened that if they did not, their shops would be looted. Now, that is a question of fact. The question is how many people voluntarily joined, and how many were forced to. I also was present in Calcutta on that day, and I visited several quarters, especially in the southern portion of Calcutta. To me it seemed that most of the people were willing to open their shops but did not do so, lest their shops might be looted. Therefore, I think, if Government take such steps to afford adequate police protection to those who desire to dissociate themselves from these things, that will be good enough, but if very drastic measures are taken, which might cause indiscriminate loss of life, that would be too much. I think that when His Excellency has said that drastic measures will be taken to restore peace and order every member of the House will support him, because we have this much confidence in him, that when such measures are taken due regard will be had for the protection of the lives and property of innocent people, and also some sort of sympathy will be shown to the persons who have been misguided by people who are not here. Therefore, it is a question of limit, and I think we ought to support any measures taken by His Excellency to this end as he knows full well what measures should be taken and to what extent.

The Hon'ble Sir HENRY WHEELER: I take it that the object of a debate of this kind is primarily to afford an opportunity to non-official members of expressing their views on the subject which is thus brought before the Council, and for that reason partly, and partly because His Excellency has already to-day eloquently and forcibly explained to the Council the attitude of the local Government in this matter, I see no necessity for me to speak at length. If I speak at all it is rather in the hope of perhaps, towards the close of the allotted time, reminding the Council of what seems to me to be the real issue before us.

In a discussion of this kind it is perhaps not unnatural that irrelevancies of various kinds should have been introduced. The subject lends itself to that course, and advantage has been taken of the fact. Into these irrelevancies, I do not propose to go. I do not propose to discuss the policy of the Secretary of State and the Government of India with reference to the non-co-operation movement in the past; that policy has been explained by its authors, and calls for no justification from me here, though I *would* ask those who so feelingly request Government to adopt a policy of forbearance, patience and sympathy, what has been, if they will look at it fairly, the policy of Government during the last three years? It has surely been one of unbounded patience, inexhaustible tolerance, and far-reaching attempts in every way to meet any real grievance that may be urged on the side of the people. Another irrelevancy which I do not intend to pursue is the conduct of the police; though I cannot refrain from saying that when we heard from Mr. Suhrawardy that the attitude of the police on the 17th November was one of endeavouring to provoke a mêlée amongst innocent people, we were listening to a grotesque and mischievous travesty of the facts, which is contrary to the evidence which is available—evidence which, I submit, is sufficient to convince any reasonable and fair-minded man. Also with regard to Babu Surendra Nath Mullick's inevitable remarks, I cannot but regret that at a time when it is evident that the cause of law and order may have to depend in a large measure upon the willing assistance and co-operation of the police, remarks should be made in this Council which can only show that the inveterate prejudices of some members on this subject, are prepared to lead them to condemn the police even before action has been taken at all by that somewhat maligned body. Some members seem determined, whatever the police may do, to find them guilty of tyranny and repression in advance. To put it at its lowest, this seems to be a pity from the point of view of the law-abiding citizen.

Let us come to what I understand to be the real issue. I take it that the real intention of this debate to-night is to afford members an opportunity—which the majority have utilised—of impressing upon Government the dissatisfaction of the community at the state of lawlessness and disorder which arose in this town on the 17th of this month, and the wish of this Council, as representing the community, that Government should take measures to render impossible a recurrence of that state of affairs. Government is fully conscious of the grave feeling of apprehension that has been roused in Calcutta by the happenings of that day; Government is fully conscious that the reasons for that apprehnsion are in no sense insignificant or unreal; Government is fully conscious that they are faced with a position of considerable difficulty which is fraught with potentialities of much mischief. Government welcome the assurances of this Council that it is their earnest

wish that lawlessness and disorder should be checked. This is only what one would expect from a body of the position and the responsibility of this Council. As His Excellency has explained, Government is absolutely at one with the Council in intending that so far as lies in their power, the state of tyranny, intimidation and molestation of law-abiding people which took place in this town the other day, must be stopped.

Rai MAHENDRA CHANDRA MITRA Bahadur: I wish to make a few remarks in this connection. We are all under the protective wings of the British Government, and we like that lawlessness ought to be checked and peace and order maintained. We know to our cost that if the British Government will not maintain such peace and order the situation will be very serious. It is therefore necessary, as His Excellency has said just now, that some steps ought to be taken to prevent a recurrence of what took place on the 17th instant. His Excellency has told us that he wishes to take the members of the Council into his confidence, and it is our duty to help the Government as far as possible. At the same time there is a conviction in the minds of many, that there may be excesses on the part of the agency—the police—of the Government. This is a problem which weighs in the minds of many people, and consequently moderation should be exercised in the maintenance of peace and order. His Excellency has told us that he will be obliged to take drastic measures, but if he does take such drastic measures, it is necessary first to see whether such measures could not be avoided. I am not one of those who thinks that a free hand should be given to the police in such matters. I am one of those who think that if Government should think fit to take drastic measures, they should have an eye on the effect of such measures on the people. All that is necessary for us is to explain to the Government the real situation. Take drastic measures, but, at the same time, protect individual liberty, property and rights, and if that be done, I am quite sure there will be no divided opinion in this Council.

Maulvi EMADUDDIN AHMED: At the end of the day, I have very little to say. It is everybody's duty, and everybody will admit that we, as citizens, ought to help Government in preserving law and order; take drastic measures and nobody will grumble if you put down lawlessness and disorder. But you have not taken into account the root causes of the unrest. I am not concerned with the big question of the origin of Gandhism or the Khilafat, but this movement has gained ground in the minds of the people. Is it not a fact that the people are ill-clad, ill-fed and they take to non-co-operation in despair? It is the bounden duty of Government to see that these causes are removed. I find in this Council that increments have been given to the members of the Indian Civil Service, and various other services, but has Government done anything for the poor people of the country? Take drastic

measures, in order to preserve law and order, but let Government do something to remove these root causes.

Mr. D. J. COHEN: Unlike Babu Surendra Nath Mallik, I am thankful to Sir Asutosh Chaudhuri for bringing up this discussion. The proceedings of last Thursday were of a nature which no organised Government can be proud of. Peace and order were things unknown on that day. The liberty of the individual was trifled with, and everywhere the cry was for Government intervention. Personally, I am sure every right thinking man will support Government in its taking upon itself the first duty it owes to the people, of enforcing law and order, by taking such steps as may be effective to combat this evil and will yet meet with the approval of reasonable people. In saying this, I do not desire the cure to be worse than the disease. It has been the practice with a certain class of people to characterise every action of Government as repressive. Opinions may be divided on this, and some of us might consider that certain action on the part of Government might well have been left undone, but what answer can the non-co-operators give to the events of last Thursday? As has already been pointed out by a previous speaker, a well-known extremist paper correctly characterised it as "Revolution" and can any Government, having the interest of the people at heart, tolerate revolution?

Sir ASUTOSH CHAUDHURI: I beg leave to withdraw the motion before the House. The Government is taking steps, and we are satisfied that the Government intend to take steps to prevent a recurrence of the happenings of the 17th. The resolution has been discussed at great length. I am not in the least sorry that I brought forward this motion, I did it from a deep sense of responsibility, feeling that the Government ought to know what was passing through our minds.

It has been said that Government ought not to adopt drastic measures; drastic measures ought to be carefully taken, drastic measures are dangerous, and repression is a double-edged instrument, but we are not called upon now to sanction what Government has done; it does not require our sanction. Some people were anxiously inquiring if Government had abdicated its functions but Government has taken the matter in hand, and we are satisfied that they understand the situation, and I therefore beg leave to withdraw the motion.

The motion was by leave of the Council withdrawn.

Adjournment.

The Council was then adjourned to Tuesday, the 22nd November, 1921, at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Town Hall, Calcutta, on Tuesday, the 22nd November, 1921, at 3 P.M.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers and 112 nominated and elected members.

Starred Questions
(to which oral answers were given).

Closing of an outlet into the river Khousiki in Jangipur (Hooghly).

*XVII. **Babu FANINDRALAL DE:** (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that the only outlet from the low lands about the Mondolika in Jangipur police-station (Hooghly) to the river Khousiki has been closed?

(*b*) If so, is the Hon'ble the Member aware that the closing of the outlet is causing damage to the crops, inconvenience to traffic and injury to the health of the inhabitants of about 25 neighbouring villages?

(*c*) What steps, if any, do the Government contemplate taking in the matter?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Government is not aware that the only outlet from the low lands about the Mondolika in Jangipur police-station (Hooghly) to the river Khousiki has been closed but has received a report of obstructions in a khal further to the south.

(*b*) It is stated that some damage has been caused by the obstructions.

(*c*) The matter is under inquiry.

Recruitment of Excise Sub-Inspectors.

*XVIII. **Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) the names of the Commissioners of Excise and Salt during each of the last five financial years;

(*ii*) the numbers of Hindus and Muhammadans appointed as Sub-Inspectors of Excise and Salt in each of these five years by the Commissioner of Excise and Salt in consultation with the Collectors of Districts, as required by the rules;

(*iii*) the number of Hindu and Muhammadan Sub-Inspectors appointed directly by such Commissioner without consulting the Collector?

(*b*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the late Commissioner of Excise and Salt very often did not observe the rule requiring the recruitment of Sub-Inspectors from the Collector's list of nominees?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Minister be pleased to state what steps, if any, have been taken to put a stop to the practice?

(*d*) If no steps have been taken, will the Hon'ble the Minister be pleased to state the reasons therefor?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) (*i*) Mr. A. N. Moberly, I.C.S., from 1st April, 1916, to 7th November, 1918, and Mr. S. C. Mukherji, I.C.S., from 8th November, 1918, to 31st March, 1921.

(*ii*) and (*iii*) A statement is laid on the table.

(*b*) The statement gives the information required.

(*c*) and (*d*) As the appointments are filled up by the Commissioner of Excise and Salt, no steps have been taken by Government in the matter.

Statement showing the number of Hindus and Muhammadans appointed as Sub-Inspectors of Excise and Salt during each of the five financial years, referred to in the reply to clauses (a), (ii) and (iii) of starred question No. XVIII.

Year.	Number of Sub-Inspectors of Excise and Salt appointed.		Total.
	Hindus.	Muhammadans.	
16-17	14	4	81
17-18	12	9	21
18-19	10	9	19
	2	.	2
19-20	3	2	5
	6	...	7
20-21	2	1	3
	7	...	8

N.B.—The figures in italics indicate direct recruitment.

Inspectors of Co-operative Societies.

*XIX. **Maulvi ABDUL KARIM:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing the total number of Inspectors employed in the Co-operative Department and how many of them are Muhammadans?

(*b*) Will the Hon'ble the Minister be pleased to state whether any scheme has been drawn up for the revision of the pay of the Inspectors of Co-operative Societies and the Divisional Auditors and the Auditors?

(*c*) If so, what scales of pay have been proposed for them and when will they be given effect to?

(*d*) If the answer to (*b*) is in the negative, will the Hon'ble the Minister be pleased to state whether it is in contemplation to revise their pay and prospects early as has been done in the case of several other departments?

(*e*) Will the Hon'ble the Minister be pleased to state the amount of audit fees collected from each district in Bengal last year and the total amount of expenditure incurred last year on account of the pay and travelling allowances of the Auditors?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Including officers on deputation from the Subordinate Executive Service as well as two sub-registrars the total number of Inspectors employed in the Co-operative Department is 65, of whom 27 are Muhammadans.

(*b*) and (*c*) Proposals for revision of the pay of Divisional Auditors, Inspectors, and Auditors, have been received, and are now under the consideration of Government.

(*d*) The question does not arise in view of the answer to (*b*) and (*c*).

(*e*) A statement showing the amount of audit fees collected from Co-operative Societies in Bengal, district by district, during the year 1920-21, is laid on the table.

The amount spent during that year on account of pay and travelling allowances of auditors and their peons was approximately Rs. 62,490.

Statement showing the amount of audit fees collected from Co-operative Societies in Bengal in each district during the year 1920-21, referred to in the reply to clause (e) of starred question No. XIX.

		Rs	A.	P.
1.	Calcutta and the 24-Parganas	1,895	7	0
2.	Khulna (excluding societies under Taki Central Bank) ...	1,349	7	0
3	Jessore	794	15	0

		Rs.	A.	P.
4.	Nadia	2,186	6	3
5.	Murshidabad	1,633	0	9
6.	Dacca	2,716	0	0
7.	Mymensingh	5,426	0	9
8.	Faridpur	6,793	2	3
9.	Bakarganj	1,683	0	0
10.	Rajshahi	1,668	2	0
11.	Malda	519	12	0
12.	Dinajpur	349	2	0
13.	Rangpur	3,764	8	0
14.	Bogra	969	11	0
15.	Pabna	7,129	14	0
16.	Jalpaiguri	321	8	0
17.	Darjeeling	2,284	7	0
18.	Tippera	4,028	0	0
19.	Noakhali	1,092	0	0
20	Chittagong	1,343	0	0
21.	Chittagong Hill Tracts	No.		
22.	Birbhum	1,474	11	9
23	Bankura	89	1	6
24.	Hooghly	170	13	9
25.	Midnapore	2,025	8	6
26.	Burdwan	749	7	9
27.	Howrah	214	2	3
	Total ..	51,571	4	3

Unstarred Questions

(answers to which were laid on the table).

Financial deficit.

63. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state what steps are being taken by the Government to meet the threatened deficit for the next financial year?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. Kerr): The member is referred to the speech made by His Excellency the Governor in opening this meeting of the Legislative Council.

Privilege to steamer companies plying boats through the Circular and Eastern Canals.

64. Rai HARENDRANATH CHAUDHURI: (*a*) With reference to the answer given to my unstarred question No. 101 of the meeting of the 29th August, 1921, will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) whether, when the privilege was granted to the Rivers Steam Navigation and Indian General Steam Navigation Companies, canal officers were directed to check occasionally the correctness of the manifests; and

(*ii*) if so, why they have not been so checked since 1913?

(*b*) Are the Government considering the desirability of directing that manifests furnished by the employees of the said Companies should henceforth be regularly checked?

(*c*) Will the Hon'ble the Member be pleased to lay on the table a copy of the report of Mr. B. R. Haldar, while he was Assistant Engineer in charge of Calcutta canals, addressed to the Executive Engineer on this matter?

(*d*) Will the Hon'ble the Member be pleased to lay on the table a copy of the Irrigation Department Notification No. 7, of the 15th July, 1913, referred to in the answer to my unstarred question No. 101 (*b*) of the 29th August last?

(*e*) Will the Hon'ble the Member be pleased to state whether it is a fact that the directions to charge tolls on the vessels belonging to Rivers Steam Navigation and Indian General Steam Navigation Companies were given before July, 1913?

(*f*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether any Indian Company enjoy the privilege mentioned in the said answer?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*) No such directions were issued.

(*ii*) The question does not arise.

(*b*) No; the checking of manifests would nullify the reason for their introduction which is to prevent the detention of vessels.

(*c*) Government is not prepared to place on the table a copy of the report referred to.

(*d*) A copy of the Notification is placed on the table.

(*e*) No such orders are traceable, but if issued, such orders were already covered by Notification No. 29, dated the 24th May, 1904.

(*f*) No.

Copy of the notification referred to in the reply to clause (d) of unstarred question No 64.

No. 7, dated Calcutta, the 15th July, 1913

NOTIFICATION—By the Deputy Secretary to the Government of Public Works (Irrigation) Department.

In exercise of the power conferred by section 11 of the Canals Act, 1864 (Bengal Act V of 1864), the Governor in Council is pleased to make, with effect from the 1st August, 1913, the following amendment in the rules for the Calcutta Canal and Tolly's Nala, issued under that section and published under notification No 25 dated the 24th May, 1904, at pages 714-46 of Part I of the *Calcutta Gazette* of the 25th idem, namely.—

For the last paragraph of rule 2 of the said rules substitute the following —

For vessels of class II, which are furnished with reliable way-bills, the gross maundage of cargo shown by the way-bills or in the case of steamers the maundage obtained from multiplying the registered tonnage of the steamer by twenty-seven may, at the opinion of the employer of the vessel or the steamer (as the case may be), be taken as the maundage on which toll will be charged

Provided that firms or individuals who wish to make use of this rule must be approved by the Superintending Engineer of the South-Western Circle, and that such approval may be withdrawn for any just cause

Assistant Secretary, Judicial Department.

65. Babu KISHORI MOHAN CHAUDHURI: (*a*) With reference to the unstarred question No 99, asked at the meeting of the Council on the 29th August, 1921, will the Hon'ble the Member in charge of the Judicial Department be pleased to state —

(*i*) what was the special necessity which led to the creation of this new post;

(*ii*) on what pay and terms and for how long the appointment was made; and

(*iii*) on what special work this new officer is now engaged?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a statement showing the names and qualifications of the candidates for the post referred to in reply to question No. (*d*) and noting the special qualifications for which the officer appointed was given preference?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) (*i*) The increase of work due to the Reforms Scheme and the need of freeing the Secretary from having to do purely routine work.

(*ii*) The appointment was made on a pay which the officer would receive under the time-scale in the regular line in addition to a duty allowance of Rs. 100 a month. The appointment is at present temporary.

(*iii*) None. The member is referred to answer (*a*) to the question of the 29th August.

(*b*) A statement of the members of the Bengal Judicial Service who sent in applications for the appointment is laid on the table.

As to the qualifications of the present temporary Assistant Secretary the member is referred to the answer already given to (*f*) of the question to which he refers.

Statement showing the names and qualifications of the candidates who are members of the Bengal Civil Service (Judicial) for the post of Assistant Secretary to the Government of Bengal (Judicial Department), referred to in the reply to clause (b) of unstarred question No. 65.

	Names.		Qualifications
1.	Babu Ananga Mohan Lahiri, LL.B.	...	A senior munsif.
2.	" Madhu Sudan Ray, B.L.	...	A munsif with an excellent record as a Settlement Officer.
3.	" Ashutosh Mitra, M.A., B.L.	...	An officiating munsif

Appointment and suspension of munsifs.

66. Maulvi FAZLAL KARIM: (*a*) With reference to my unstarred question No. 60, asked at the meeting of the Council on 29th August, 1921, will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether he is aware that some of the provisions of Act XII of 1887 have grown obsolete?

(*b*) Will the Hon'ble the Member be pleased to state—

(*i*) the number of officiating appointments of munsifs in Bengal made by District Judges acting under Act XII of 1887 during the last 15 years; and

(*ii*) the number of suspensions of munsifs in Bengal under Act XII of 1887 by District Judges during the last 15 years?

(*c*) Will the Hon'ble the Member be pleased to state whether he is aware that Deputy Magistrates are not liable to suspensions by District Magistrates under the Bengal Regulation IX of 1833?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) (*i*) Six.

(*ii*) None.

(*c*) Yes.

Khulna distress.

67. Rai RADHA CHARAN PAL Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing the measures undertaken to relieve the distress of the famine-stricken people in Khulna District?

(*b*) What is the total area and population affected?

(*c*) What is the present situation in regard to the scarcity and the effect on it of the relief operation?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Copies of the Press *Communiqués*, dated the 30th June and 24th August, 1921, placed on the library table will show the measures undertaken to relieve the distress. Rs. 15,000 has been sanctioned up to date for gratuitous relief and Rs. 50,000 for distribution as agricultural loans.

(*b*) When the distress was at its height the area and population affected were about 250 square miles and 15,000, respectively.

(*c*) The condition of the standing crops is reported to be favourable. The *aman* paddy, which is the principal crop, is expected to be harvested by the middle of December. Relief measures adopted by Government, the District Board and private organisations, which have already alleviated the distress considerably, will be continued till that time. It is understood that the Khulna Famine Relief Committee is closing most of its operations at the end of this month.

Training of cultivators in improved agriculture.

68. Babu JOGENDRA NATH ROY: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what steps, if any, have been taken by the Agricultural Department to bring to the doors of the cultivators the results of the researches and experiments carried on in the Government Farms?

(*b*) Are the Government considering the desirability of appointing itinerant demonstrators to demonstrate to the cultivators in the interior the results of the scientific agricultures?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) The chief means by which the results of the researches and experiments carried on in the Government farms are brought home to cultivators may be briefly summarised as follows:—

(*1*) The establishment of District Agricultural Farms.

(2) The establishment of seed stores for the sale of improved agricultural appliances, improved seeds, fertilisers, and insecticides, etc.

(3) The formation of small agricultural associations composed of practical agriculturists for small areas, for the purposes of testing and adjudicating on the improvements suggested by the Agricultural Department, of discussing their successes and failures with each other and of bringing to the notice of the officers of that department their needs and wishes.

(4) The establishment by such agencies as Court of Wards estates, Government Khas Mahals and private zamindars of small seed and demonstration farms or plots where agricultural improvements can be demonstrated.

(5) The work of the district agricultural officers and demonstrators of the department. The main duties of these officers are to get the cultivators interested in agricultural improvements by personal discussion and visual demonstration. They show the people in their own fields and on demonstration farms the advantages of improved varieties of crops and new manures and suggest remedies for crop-diseases, insect-pests, etc. They are also responsible for organising village agricultural associations and seed stores which play an important part in introducing agricultural improvements of proved efficacy among the cultivators.

(6) The appointment (as a temporary and experimental measure) of a travelling agricultural officer who will lecture on practical agricultural matters with the aid of lantern slides.

(b) Government have accepted the principle that more demonstrators are required, but the number of appointments is limited by the lack of funds. It is the aim of Government ultimately to appoint a demonstrator for each police-station in Bengal.

Dacca-Aricha railway project.

69. Babu JOGENDRA NATH ROY: (a) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state whether it is a fact that the committee appointed to consider the Dacca-Aricha railway project has not yet met?

(b) Will the Hon'ble the Minister be pleased to state when the report of the committee is likely to be out?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (a) No, this is not the fact. The committee has met from time to time.

(b) The report of the committee has just been received.

The Calcutta Municipal Bill.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): I crave the permission of the House to introduce this Bill to amend the Calcutta Municipal Act—Act III of 1889. An amendment of the Calcutta Municipal Act has long been overdue. Looking to the history of municipal legislation it would appear that ordinarily the life of a Calcutta Municipal Act did not in the past extend beyond 11 or 12 years. The Act of 1876 was revised in 1888, and that of 1888 in 1899. The fact demonstrates the solicitude of the Legislature to keep pace with the administrative requirements if not the political needs of this great city. It was in the year 1876 that the Calcutta Corporation was constituted upon a representative basis, two-thirds of the members being elected and one-third nominated. That was a notable event in the annals of Calcutta, a red letter day in the evolution of our civic life, and it has borne golden fruits. I was a member of the Corporation in 1876 and my recollections of that body are fresh and distinct. There was no non-co-operation in those days; and the most illustrious sons of Bengal, moved as if by a spontaneous and overwhelming impulse, were drawn to within the sacred precincts of this noble temple of civic freedom. Kristo Das Pal, Rajendra Lal Mitter, Krishna Mohan Banerjea, Digambar Mitter, Shyama Charan Sarkar adorned the benches of the Corporation, with them were associated younger men, unknown to fame but inspired with the fervour of their civic spirit. They are now, alas! all dead and gone. Two alone survive, your humble servant addressing you on this occasion and Babu Kalinath Mitter, no longer young, but still retaining that superb intellectuality which was the rich possession of his youth. There were two distinguished members of the Civil Service who presided over the deliberations of the Corporation and guided its policy and its measures. Not the least distinguished among them was the late Sir Henry Harrison. I rejoice to have this opportunity of paying the tribute of my respect and admiration to the memory of an honoured friend, whose services, I fear, have not been sufficiently recognized. Sir Henry Harrison was a prince among men. Unrivalled in debate, incomparable in his grasp of principles and in his mastery of the details of municipal administration, he anticipated with the insight of a statesman and the vision of a seer that equality of status between all classes of His Majesty's subjects in India, which is now the accepted policy of the Government and the settled attitude of the European community in India. It is a pleasure and a privilege to be able to recall those days and refresh oneself with their grateful and stimulating memories. But let us proceed. The new Corporation thus constituted upon a popular basis and re-enforced by the patriotic devotion of the good and the true in the land proved in the judgment of those most competent to decide, a great and a conspicuous success; and it was

accordingly proposed to extend the sphere of its operations. The time for the revision of the Act soon drew near, and when it was revised in 1888 the Suburbs were included within the Calcutta municipal area. The measure gave rise to some little agitation, but the boon was soon recognized. The Act thus revised remained in force till 1899 when a further revision took place involving constitutional changes of the utmost moment. Efficiency had now become the watchword of the hour, and the changes which were proposed and which were eventually carried out were dictated by that consideration, and that consideration alone. No one associated with the work of administration in any shape or form as I am, or responsible for it to any extent, as you are, can afford to under-estimate the value of efficiency. But at the same time it is possible to exaggerate its importance and to overlook considerations which have a special bearing upon the question of Local Self-Government in India. The great founder of Local Self-Government, Lord Ripon, observed in his resolution of the 18th May, 1882, in which the basic principles of the system were laid down, that the institutions of Local Self-Government were chiefly to be valued as instruments of popular and political education. He, indeed, fully anticipated a temporary falling off in respect of efficiency, but he probably felt with Sir Henry Campbell-Bannerman that good government was no substitute for self-government. Speaking of efficiency as an administrative factor, Lord Morley, then Mr. Morley, observed from his place in the House of Commons, I think it was in the year 1906: "We are too apt to place efficiency in the forefront of our administrative ideals, and if our Government in India were a trifling less efficient it would perhaps be a little more popular." And I may add, if I may without irreverence that in the long run popularity must ensure efficiency by enlisting public opinion and securing its moral support in aid of the Government, for we cannot overlook the fact that in these days public opinion is the bulwark of States and Thrones.

However that may be, in the name and in the interests of efficiency drastic changes were engrafted upon the municipal system of Calcutta which in one sense revolutionized it; and we are now called upon to reconsider them in the light of modern conditions and the new requirements which British statesmanship has created in India and which for all time to come will constitute its proudest monument.

The changes made by the Act of 1899, to which I have referred, involved a substantial reduction of popular authority in the Corporation. The elected element was reduced from two-thirds to one-half, and the Corporation was divested of its supreme authority by the creation of co-ordinate bodies. As might have been expected, changes so fundamental, so opposed to the growing popular sentiment, evoked bitter controversy and gave rise to an agitation which, so far as municipal matters were concerned, was without a parallel in the history of our city. Twenty-eight Municipal Commissioners, including several

prominent members, resigned their seats, and for some time, the leading Indian citizens of Calcutta abstained from all participation in our municipal affairs. The situation was not helpful to the civic interests of the town, and in 1913 the Government felt constrained to consider the question of a revision of the Act. A Bill to amend the Act was introduced into this Council in 1917. It was, however, withdrawn in 1919 at the instance of the Chamber of Commerce and other public bodies, and mainly on the ground that as the Reforms would soon be in operation, a question of this magnitude and importance should be left to the Reformed Council to deal with. It was a decision which public opinion approved. And we are here to-day to give effect to it

In a matter of this importance I felt it my duty to consult public opinion at the earliest opportunity, and even before the Bill was framed. It was indeed a departure, but it struck me that it was a departure in the right direction and that a consultation at an early stage with the representatives of the different sections of the community would be helpful to the solution of the important issues involved Accordingly I invited in March last a representative Conference of Europeans and Indians, of officials and non-officials, to discuss the constitutional feature of the proposed legislation The Conference met on the 8th and again on the 11th March last, and the Bill now before you follows in its main outlines the recommendations of the Conference

Before dealing with the constitutional provisions of the Bill, let me call your attention to a small extension of the municipal area which is contemplated. We propose to include a small area in Tollygunge, if you approve of the sections relating to this matter, within the municipal limits of Calcutta. The reason for it is chiefly sanitary. The area is small and its sanitary condition is so unsatisfactory that the only remedy left seemed to be to bring it within the jurisdiction of the Calcutta Corporation and the scope of its sanitary operations. Again and again has the Tollygunge Municipality been addressed on the subject, but to no purpose. To guard against any possible loss of revenue which the Tollygunge Municipality may suffer by the exclusion of this area, the Bill provides that for ten years a sum equivalent to the nett revenue which it derives from this plot of land should be made good to it by the Corporation. There were further proposals made by the Corporation for the inclusion of a considerable area in the Suburbs, consisting of Cossipore-Chitpur, Maniktala, Garden Reach, and some other outlying municipal areas within the limits of Calcutta. I invited the Chairmen and Vice-Chairmen of these Municipalities to the Conference to which I have referred and I ascertained from them that they and their constituencies were entirely opposed to this change. I explained to them at the Conference and I repeat what I then said that the Government would not favour these changes if they went wholly and decisively against the wishes of the people concerned. I have some knowledge of the effervescence of feeling which is apt to be caused by alterations

in boundaries made against popular wishes. I felt that in view of the opposition that was offered, we should abandon the proposals put forward by the Corporation save in respect of the small area in the Tollygunge Municipality which I have already mentioned.

The Bill may be divided into two parts, constitutional and administrative. One of the main objects of the Bill is to place the municipal administration of Calcutta on a line with the newly inaugurated Reforms. You cannot have an advanced modern system at the top with mediæval formulæ working vigorously at the bottom. You cannot have a golden turret mounted on a decaying and crumbling edifice. Our self-governing institutions must form a compact, consistent and harmonious whole. The different parts must fit into and be adapted to one another, acting and re-acting upon one another and strengthening one another by their mutual interaction. The Bill represents the first tangible effort to carry out the mandate of Parliament in regard to our local affairs, so that our growing parliamentary system, which in the fulness of its development, will place us amongst the self-governing States of the British Empire, may draw its inspiration and its vitalising influence from our local institutions. Sir, we are on the threshold of a great task, and the Calcutta Municipal Bill will be the first of a series of similar projects of law whose aim and object will be to liberalise our local bodies, and place them in conformity with the spirit and essence of the Reforms. It is the intention of Government to follow up this Bill by the amendment of the Bengal Municipal Act and the Bengal Local Self-Government Act, both of which are antiquated, and specially the latter, and run on somewhat obsolete lines. It is unnecessary for me to say that if the Reforms are to succeed our local institutions must be strengthened at the base. "Municipal institutions," observed Mr. Gladstone, "are the seed-plots upon which and around which are developed those habits of thought and that temper of mind which constitute the noblest heritage of a nation." They form the basic foundation of all parliamentary systems. The Montagu-Chelmsford Report recognises them as a part of the Reforms; for the Report recommends that local bodies should, so far as possible, be placed under popular control. This Bill seeks to give effect to this recommendation, so far as the Corporation of Calcutta is concerned.

I now proceed to deal with the principles underlying the constitutional clauses. Under the provisions of the Bill the number of members of the Corporation has been raised from 50 to 80. This is in accordance with the recommendation of the Corporation and has been endorsed by the representative Conference which I invited to discuss the constitutional features of the Bill. The number of Commissioners fixed by the Act of 1876 was 75, and this number continued till 1899, when it was reduced to 50. The increase in the number provided in the Bill has a value all its own. It is an advance towards the democratization of the Corporation. It means a wider representation of the citizens of

Calcutta and of their multifarious interests in the government of the city. It means the creation of an organ of government for the administration of the city more truly reflecting the voice and sense of the community than had ever existed before.

But important as the increase in number may be, far more important is the determination of the proportion of the constituent elements comprising it. There could be no more difficult or delicate problem than the adjustment of the different interests in the governing body of the city with the fullest justice to all, dominated by the spirit of the new policy which seeks to vest real power, subject to the necessary safeguards, in the hands of the representatives of the rate-payers. If the new policy demands, as indeed it does, that supreme authority should belong to the people, then it follows that their elected representatives should guide and control the counsels of the Corporation, and that they should be in a clear and decisive majority. They are not so now. We have, in pursuance of this policy, provided in the Bill that nine-tenths of the members of the Corporation should be elected by the different constituencies, nearly three-fourths being elected by the general electorate. The Conference recommended that four-fifths of the members should be elected. We have gone beyond this recommendation. The figures are as follows:—

(1) By the general electorate (including 13 Muhammadan representatives	55
(2) By the Chamber of Commerce	6
(3) By the Trades Association	4
(4) By the Port Commissioners	2
(5) By the Corporation (Aldermen)	5
(6) By the Government	8
Total	80

It will be seen from the above that the Government nominations have been reduced from 15, under the existing law, to 8 under the Bill; that the general electorate, which at present returns 25 members, will elect 55, more than double the existing number, and that all the electorates put together, which now return 35 members, will elect 72, which again is double the existing number. I claim that this represents a considerable advance towards the liberalization of the Corporation.

Now let us examine the different elements constituting the new Corporation somewhat more closely. The first point which will attract attention and which is a novel and notable feature of the Bill is the creation of Aldermen. Here again we follow the recommendation of the Corporation supported by the Conference and sanctioned by English precedent; and the wisdom of it is apparent. There must always be in

a community men who by their temperament and the habits of a lifetime would be unwilling to face the trouble and the risks of a popular election, but whose presence in the Corporation would enhance its dignity and whose counsels would add to its deliberative strength. I could almost name persons in our community who would answer this description, but personal references are unnecessary to add to the weight of this argument which stands confirmed by the most obvious considerations. Such men should find a place in the Corporation, and a system of co-option by a limited and select constituency, such as the elected and nominated members of the Corporation would secure this end.

I now come to the question of European representation. Here we follow the system which has been in vogue since the Act of 1876. The Chamber of Commerce, the Trades Association and the Port Commissioners, which are mainly European constituencies, will continue as before to return members to the Corporation. It will further be open to the general electorate in any Ward, especially in the European Wards, to elect European members for the Corporation. It may, perhaps, be urged that this amounts to a special treatment of the European community. But the Muhammadan community are treated in the same way, and seats are reserved for them to secure an adequate representation of their interests. Nor should the fact be overlooked that European enterprise has had a large share in the development of Calcutta and that the European community have a great stake in the prosperity of the city. The details of the scheme providing for European representation embodied in the Bill are in accordance with the recommendation of the Corporation and were unanimously supported by the Conference which consisted of European and Indian members.

I now come to the very difficult and delicate question of Muhammadan representation. It must be admitted that the Muhammadan community is not represented on the Corporation as it should be and in a manner commensurate with its influence and its importance. This is a state of things which should be remedied on the principle of equal justice to all parties which is the recognized policy of the Government. We have, therefore, provided in the Bill that there should be a minimum number of seats to be reserved for the Muhammadan community. What is that number to be? And here I desire to apply the principle which is followed by Government in the nomination of municipal commissioners in the mufassal. It is a triple formula that we adopt. It has worked well in the mufassal and has given satisfaction to the Muhammadan community. The voting strength, the rating strength, the numerical strength of the local Muhammadan residents in proportion to the whole community enter into the calculation and determine the number of Muhammadan members to be nominated by the Government in any given municipality. We ascertain the sum total of the rates paid by the Muhammadan community, the number of Muhammadan voters and residents as compared to the whole, and fix the number

of nominated Commissioners upon this basis. Applying this principle we should have in the Calcutta Corporation a little over 12 seats for the Muhammadan community. We have reserved for them 13 seats—a number slightly in excess of that to which they are entitled in accordance with the calculation to which I have referred. It is slightly less than one-third of the seats in the general electorate. There are some other facts in this connection which I feel I should place before the House. The figures of the last twelve years from 1910-11 to 1921-22 show that the Muhammadan community never had more than 5 members on the Corporation; and in the Bill of 1917 the number of seats reserved for the Muhammadan community was 9. The Conference by a majority fixed the number at 11. We have reserved 13 seats. I venture to submit, Sir, that the representation of the Muhammadan community which we have provided is fairly strong and is in excess of anything they had before.

Now how are these seats to be filled? By communal representation or through a general electorate of a mixed character consisting of Hindus and Muhammadans and members of other communities. The Bill provides for the latter. The Bill embodies the views of the Government as a whole. The arguments against the introduction of the communal system are to my mind convincing, and I am sure they will appear so to the Council when I have had the opportunity of stating them. I oppose communal representation on principle. Every lover of his country must do so. What are we here for? What is one of the primary duties—the main duty, might I not add—to which this Council has to address itself? We are here to ensure the success of the Reforms, to secure complete self-government, culminating, as I hope it will in the fulness of time, in the upbuilding of a united Indian nationality. If this be the right conception of our fundamental duty here, and I cannot think that it could be otherwise, then it is obvious that it is incumbent upon us to resist any proposal which may interfere with the growth of Indian nationhood. Communal representation certainly does so; and therefore we should not have it. It divides our community into water-tight compartments and makes us think and act as partisans and not as citizens, as Hindus or Muhammadans or Christians, not as Indians, and it must therefore interfere with the evolution of that citizen spirit which is the fundamental condition of nationhood. Let us hear what the authors of the Reform Scheme have got to say about the matter. The Montagu-Chelmsford Report observes:—

> Indian lovers of their country would be the first to admit that Indian generally have not yet acquired the citizen spirit, and if we are really to lead her to self government, we must do all that we possibly can to call it forth in her people. Division by creeds and classes means the creation of political camps organised against each other, and teaches men to think as partisans and not as citizens, and it is difficult to see how the change from this system to national representation is ever to occur.

And again :—

We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle. The evils of any extension of the system are plain.

In their own interests, I would ask the representatives of the Muhammadan community to discourage the system. Its effects, moral and material, are baneful. Again I quote the Montagu-Chelmsford Report :—

A minority which is given special representation owing to its weak and backward state, is positively encouraged to settle down into a feeling of satisfied security; it is under no inducement to educate and qualify itself to make good the ground which it has lost compared with the stronger majority. On the other hand, the latter will be tempted to feel that they have done all they need do for their weaker fellow countrymen, and that they are free to use their power for their own purposes. The give-and-take which is the essence of political life is lacking There is no inducement to the one side to forbear, or to the other to exert itself.

But apart from the question of principle, the system would be an innovation in the municipal legislation of the Province. It is a new thing, foreign to our municipal system which has grown during the last fifty years without the adventitious aid of communal representation. Despite all its faults and failings, it has attained a measure of success which is full of promise for the future. Should we then make this new departure? The matter requires the most careful consideration. The gravity of the problem is enhanced by the consideration that if it is adopted in the municipal system of Calcutta, it will have to be extended in the near future to the mufassal municipalities and perhaps to the District Boards of the Province; and the amendment of the Bengal Municipal Act is imminent and that of the Local Self-Government Act is not distant. You cannot, indeed, stop with communal representation in the Calcutta Corporation. You will have to extend it to the local bodies ouside the capital. You will be driven to it by the growing strength of accumulating forces which you will not be able to resist, if you do not resist them now. One step will lead to another. One precedent will prepare the way for another, and these are precedents not indeed broadening the bounds of freedom, but making for narrowness and restriction. I ask—Is the House prepared to commit itself to this grave and fundamental change fraught with consequences, which it is impossible to anticipate? Let the House pause and consider. I remember to have had a conversation with the late Sir Edward Baker when he was Lieutenant-Governor of Bengal almost immediately after the introduction of the Minto-Morley scheme, and he said :—

The adoption of communal representation for the mufassal municipalities of Bengal is unthinkable.

And Sir Edward Baker was no mean authority on municipal affairs. For some years he was Secretary to the Municipal Department in Bengal, and was in charge of the Calcutta Municipal Bill which is now the law in force and which he helped, so far as he could, to liberalize.

There might have been some show of reason for communal representation, if we could not devise a method for the effective representation of the Muhammadan community. But we have been able to do so by reserving a minimum number of seats for them, and I claim, and I think the House will agree with me, that it is a better method of representation than any that the communal system could provide. The member returned by the mixed electorates would share the confidence of both Hindus and Muhammadans, and it is very obvious that he cannot be either a Hindu or a Muhammadan extremist, for any element of fanaticism would deprive him of the votes of the one or other section of his electors. Do you want extremists or men of moderate views in the Calcutta Corporation, men who would make our local bodies worthy adjuncts to the Reformed Councils and a suitable training ground for the future legislators of the Province? Let the Council answer. I have no doubt as to what the answer will be.

There is a yet further and to my mind a convincing argument from the Muhammadan point of view in favour of the mixed electorates that we propose. If the Muhammadan community had communal representation, they must, so far as the elections are concerned, be satisfied with the 13 seats reserved for them, for they could not stand for any ward in the general electorate. They cannot have communal representation and at the same time vote in the general electorate. If, however, they were to be returned through the general electorate by mixed constituencies, they could stand for any of the wards in the general electorate. They would have the 13 seats reserved for them *plus* any seat which they might secure in the general electorate. They would have no such prospect before them if they had communal representation. Is the community going to be satisfied with 13 seats and no more, or have 13 seats *plus* any other which they might be able to capture? Let them decide. Commonsense and reason dictate that the decision should be in favour of the mixed electorate in preference to communal representation. It might be said that this prospect means nothing; for the Muhammadan candidates will never be able to secure seats in the general electorate. I do not share this view. I have much greater faith in the potentialities of the Muhammadan community. What a marvellous progress they have made in Bengal and elsewhere during the last ten years. They are advancing by leaps and bounds, in culture, in enlightenment and in all that makes for progress; and we Hindus, who look forward to a united nationhood, rejoice that it should be so. Let not the past in this matter blind us to the prospects of the future. And those prospects are, so far as representation in the Calcutta Corporation is concerned, are far brighter now than they ever

were by a change which we provided in the Bill. The voting qualification is to be reduced from Rs. 24 to Rs. 12. This will qualify a large number of Muhammadan rate-payers, considerably in excess of the number of Hindu voters who would be thus enfranchised. For it is notorious that the Hindus are a much richer community than are our Muhammadan fellow countrymen. Thus we have a substantial ground for hoping that the voting strength of the Muhammadan community in the general electorate of Calcutta will be increased under the provisions of the Bill, considerably in excess of that of the Hindus.

I now come to the question of the franchise. Here again we propose an advance. Under the existing law the payment of Rs. 24 a year as rates and taxes is the qualification for a voter. We have reduced it to Rs. 12. Further, we have brought in a large number of intelligent voters by providing that the payment of an annual rent of Rs. 300 for the occupation of a holding shall be a qualification. Both these provisions of the Bill were recommended by the Corporation and supported by the Conference to which I have more than once referred. One more change we have introduced which must be gratifying to popular sentiment. We have not altogether done away with plural voting, but have reduced the number of plural votes from 11 to 1 in every ward in which the voter has property qualifying for the vote.

We now proceed to discuss the powers and functions of the authorities of the Corporation. Under the present law, there are three co-ordinate authorities, the Corporation, the General Committee, and the Chairman, all exercising independent jurisdiction in their several spheres. The Bill provides for their abolition and the restoration to the Corporation of its supreme authority over municipal affairs. We thus revert to the form of municipal government which prevailed from 1876 to 1899. The system of co-ordinate authorities was borrowed from the Bombay Corporation where it has not proved much of a success. If you read the debates preceding the enactment of the present law, you will find that there was the most strenuous opposition offered to this change. The view of the leaders of the opposition of 1899 was upheld by the verdict of the Decentralization Commission and has now prevailed. The Corporation will be supreme; but it will have the right to delegate its powers to Standing and Special Committees and to the Chairman and to withdraw them at its discretion.

The Bill makes an important change regarding the powers and functions of the Chairman and even a more signal departure in the manner of his appointment. The Chairman under the existing law exercises a dual function. He is the Speaker of the House, presiding over the meetings of the Corporation and of its Committees; he is also the head of the Executive. The strain entailed by this double function has taxed the energies of even the strongest and the most capable among the distinguished men who have from time to time held the office of Chairman. It is now proposed to separate the two offices, and

here again we follow the recommendation of the Decentralization Commission. Both the President and the Chairman will now be elected by the Corporation, the election of the latter being subject to confirmation by Government as in the case of other local bodies. The President will be called the Mayor. Whether a growing convention will designate him as Lord Mayor of Calcutta and decorate him with the usual golden chain is in the womb of the future, and I will not venture upon a prophecy; but in any case the Bill has made no provision for his golden chain. (Laughter.) The designation of Cairman will disappear, and he will henceforth be called the Chief Executive Officer, and apart from general executive control he will exercise delegated authority, and independent powers only in respect of assessments and the preparation of the electoral roll and the conduct of electoral proceedings

I have not touched upon the administrative provisions of the Bill. With one important addition, they substantially reproduce the existing law, subject to such modifications as experience and the exigencies of new circumstances have necessitated The addition to which I have referred relates to the provisions of an emergent Bill which the Corporation submitted to Government and which are embodied in the present Bill. They vest in the Corporation new powers for the improvement of the milk supply, the more effective prevention of food adulteration and the controlling and licensing of theatres and places of amusements.

I do not think I should be justified in trespassing further upon the patience of the House. I have tried to explain the principles of the Bill and the more important changes which it proposes to make in the present law. I am sure the provisions of the Bill will in the main commend themselves to the approval of the House.

Sir, may I at this stage be permitted to sound a personal note? To me, Sir, it is a matter of great personal gratification that it has fallen to my lot to introduce this Bill which proposes to restore to my native city its lost civic freedom I well remember the circumstances which led to that unhappy consummation. For I was a member of the Bengal Legislative Council when the Municipal Act which we are now revising was passed. I opposed it The Indian citizens of Calcutta condemned it. There was a general outcry against it. But none the less, it was placed on the Statute Book. But, Sir, even amid the darkness of despair and defeat, and when all hope was lost, my faith in the ultimate triumph of the principles of Local Self-Government never for a moment forsook me. I believed in the justice of British rule, and despite its lapses, in its steadily growing progressive tendencies Above all, my faith was unshaken and unshakable in the dispensations of a God of Righteousness, shaping and moulding the destinies of nations, leading them upwards and onwards in His own inscrutable way, through defeat and disaster, to a higher plane of liberty and equality. Animated by this faith, I used language amid the closing

scenes of the debate on the fateful day when this Act was passed which I desire, with the leave of the House, to repeat, I said:—

Sir, most earnestly and most emphatically do I renounce all responsibility in connection with this measure; and I will continue to live in the hope, the trust and the confidence, based upon my unswerving faith in the dispensations of a God of Righteousness—I will live in the hope and the trust that better days are yet in store for my native land, that the wisdom of the past will soon be vindicated, and that the inestimate boon of Local Self-Government will, within a measurable, distance of time, be restored to the city of my birth, the home of my sires, the destined home of my children and my children's children, round which cluster my dearest, fondest and tenderest associations.

These were my last words on the 27th September, 1899. Twenty-two years have come and gone. I expressed the hope and I ventured to indulge in the prediction that the inestimable boon of Local Self-Government would within a measurable distance of time be restored to the city of my birth. The time has come. The day has arrived. I have lived to see it. I thank God on my knees. I will not cry *nunc dimittis* for I feel that my work in life is not yet over. But I claim that the faith that was in me (and which still glows with an inextinguishable flame) has been justified by the proceedings of to-day. May that faith penetrate among the millions of my countrymen and inspire them with the patience and the passion to work on constitutional lines, without disturbance, without dislocation of the existing social and political machinery, for the attainment of that freedom which has been guaranteed to us by our Sovereign and the Parliament of the United Kingdom and which under the Providence of God is our destined inheritance in the evolution of the human race.

The Calcutta Municipal Bill which I have introduced is an object-lesson in patience and in the triumph of the spirit of patience, which a section of my countrymen may well profit by. We have waited long. We have waited for nearly a quarter of a century. But we have waited in the firm conviction that the cause of justice and liberty must ultimately prevail. And now, the clouds have rolled away, and from amid the deep and depressing gloom which overwhelmed us and oppressed our souls in the closing year of the last century, there has emerged the sunlight of hope which, if the House so desires and wills, will, I am sure, fructify not only in the re-establishment, but the enlargement on abroad and enduring basis of our ancient civic freedom, thus setting an example of municipal self-government to the rest of India, and pointing out, as if with the index-finger, the future of our local institutions which, following the precedent of Calcutta and free to work out their destinies, will be the nurseries of our public life, strengthening, fostering, developing among us and around us that citizen spirit, which is the truest safeguard and the strongest bulwark of all parliamentary systems.

With these words, I beg to introduce the Bill.

After the Hon'ble Sir Surendra Nath Banerjea had asked for leave to introduce the Calcutta Municipal Bill, 1921, as no members rose to speak, the Deputy-President put the question.

Khan Bahadur Maulvi ABDUS SALAM: I rise to oppose the motion.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): As I have already put the question, the Khan Bahadur is too late and cannot now address the Council.

On a division being asked for, it was taken with the following result:

AYES.

Addy, Babu Amulya Dhone.
Ahmed, Maulvi Azaharuddin.
Ali, Maulvi A. H. M. Wazir.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Banerjea, the Hon'ble Sir Surendra Nath.
Banerjee, Rai Bahadur Abinash Chandra.
Barton, Mr. H.
Biss, Mr. E. E.
Carey, Mr. W. L.
Cathcart, Mr. M.
Chaudhuri, Babu Kishori Mohan
Chaudhuri, Rai Harendranath.
Chuadhuri, Sir Ashutosh.
Cohen, Mr. D. J.
Currie, Mr. W. C.
Das, Babu Bhishmadev.
Das Gupta, Babu Nibaran Chandra.
De, Babu Fanindralal.
Dey, Mr. C. C.
Doss, Rai Bahadur Pyari Lal.
Dutt, Mr. Ajoy Chunder.
Dutt, Rai Bahadur Dr. Haridhan.
Dutta, Babu Annada Charan.
Duval, Mr. H. P.
French, Mr. J. C.
Ghose, Mr. D. C.
Ghose, Rai Bahadur Jogendra Chunder.
Goode, Mr. S. W.
Gordon, Mr. A. D.
Haq, Shah Syed Emdadul.
Hindley, Lt.-Col. C. D. M.
Hopkyns, Mr. W. S.
Huq, Maulvi Ekramul.
Hussain, Maulvi Mahammed Madassur.
Karim, Maulvi Abdul.
Kerr, the Hon'ble Mr. J. H.
Khan, Babu Davendra Lal.
Lang, Mr. J.
Larmour, Mr. F. A.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
McKenzie, Mr. D. P.
Mitra, Rai Bahadur Mahendra Chandra.
Mitter, the Hon'ble Mr. P. C.
Moitra, Dr. Jatindra Nath.
Mukherjee, Babu Nitya Dhone.
Mukherji, Professor S. C.
Mullick, Babu Nirode Behary.
Nasker, Babu Ham Chandra.
Pal, Rai Bahadur Radha Charan.
Payne, Mr. C. F.
Rae, Mr. W. R.
Rahim, the Hon'ble Sir Abd-ur.
Raikat, Mr. Prasanna Deb.
Ray, Kumar Shib Shekhareswar.
Ray, Rai Bahadur Upendra Lal.
Ray Chaudhuri, Babu Brojendra Kishor.
Ray Chaudhuri, Mr. Krishna Chandra.
Robinson, Major-General, W. H. B.
Roy, Babu Nalini Nath.
Roy, Mr. Bijoy Prosad Singh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilell Singh.
Roy Chaudhuri, Babu Sailaja Nath.
Sarkar, Babu Rishindra Nath.
Sinha, Babu Surendra Narayan.
Stark, Mr. H. A.
Stephenson, Mr. H. L.
Suhrawardy, Dr. A.
Suhrawardy, Dr. Hassan.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Watson-Smyth, Mr. R. M.
Wheeler, the Hon'ble Sir Henry.
Williams, Mr. C. Addams.
Wordsworth, Mr. W. C.

NOES.

Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Emaduddin.
Ahmed, Maulvi Rafi Uddin.
Ahmed, Maulvi Yakutnuddin.
Ahmed, Munshi Jafar.
Alay, Mr. S. Mahboob.
Arhamuddin, Maulvi Khandakar.
Charmakar, Babu Rasik Chandra.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, Maulvi Shah Muhammad.
Farequi, Mr. K. G. M.

Karim, Maulvi Fazlal.
Khan, Maulvi Hamid-ud-din.
Khan, Maulvi Md. Rafique Uddin.
Khan, Mr. Razaur Rahman.
Khan Chaudhuri, Khan Bahadur Maulvi Muhammad Ershad Ali.
Makramali, Munshi.
Nakey, Mirza Muhammad Ali.
Pahlowan, Maulvi Md. Abdub Jubbar.
Rauf, Maulvi Shah Abdur.
Suhrawardy, Mr. Huseyn Shaheed.

The Ayes being 78 and the Noes 21, the motion that leave be given to introduce the Bill was carried.

The Secretary then read the title of the Bill.

Non-official Member's Bill.

The Bengal Muhammadan Marriages and Divorces Registration (Amendment) Bill, 1921.

SHAH SYED EMDADUL HAQ introduced a Bill to amend the Bengal Muhammadan Marriages and Divorces Registration Act, 1876.

The member addressed the Council in Bengali in support of his Bill.

The DEPUTY-PRESIDENT: I will now ask the Secretary please to read the title of the Bill.

The Secretary then read the title of the Bill.

Resolutions

(under the rules for the discussion of matters of general public interest).

Ministers' Salaries.

Babu FANINDRALAL DE: "This Council recommends to the Government that the Ministers' salaries be henceforth placed in the voted list of the budget."

I do not think that there is any necessity for making a long speech on the subject of this resolution. The history of the contest on this point, during the various stages of development of the Reforms proposals is well known and although the wording of the Government of India Act on the subject caused a good deal of controversy here, we hope there will be an end of it this time. As is well known, the Montagu-Chelmsford Report proposed that the Ministers should hold office not at the will of the Legislature but at that of their constituency and that they should be appointed for the life-time of the Legislature. It further added that it should be open to the Legislature after five

years' experiment to place their salaries in the voted items of the budget, or for the Government of India to require that the salaries should be so treated. All these were rejected in the first Reform Despatch after closer examination. Its authors found that in view of the inexperience of the electorate and its communal character, the idea of responsibility to the constituents, rather than to the Legislature was not expected to bear much fruit in practice. Several local Governments also pointed out that whatever the initial position of the Ministers might be in theory, it could not in practice but be one of amenability to the Legislature, which has power to grant or withhold supplies. They concluded—

. . we feel bound at all events to proceed on the assumption that a Minister, who finds himself at variance with the views of those who are in a position to control his legislation and his supply and to pass votes of censure upon his administration, will recognise that he must make way for a more acceptable successor. That being so we think the Ministers must be assumed from the very outset to be amenable to the Legislature. It follows that they would not be appointed for the life-time of the Legislature, but at pleasure they would be removeable by an adverse vote of the Council.

The joint Select Committee also recommended that the Ministers' salaries should be fixed by the Legislative Council, that is the only way of making them responsible to it.

Section 52 (7) of Government of India Act states—

There may be paid to any Minister, so appointed in any province, the same salary as is payable to a Member of the Executive Council of the province, unless a smaller salary is provided by vote of the Legislative Council of the Province.

The motive of the section is quite clear; unless the Ministers' salaries be placed as a voted item, there can be no meaning of the qualifying clause to it. After such authoritative and explicit expression of opinion on the subject, it is difficult to understand why in the Bengal Budget Ministers' salaries were placed amongst the non-voted items. The Council was told when a dissenting voice was raised, that the Advocate-General of Bengal had expressed his opinion that the salaries should not be voted. Now we learn that a still higher authority, I mean the Attorney-General of England, has advised the Secretary of State that the Ministers' salaries in the Indian provinces should be on the voted list. This was exactly the view taken by most of us and the only natural one, consistent with the spirit of the Reforms. The control of the transferred departments by the Legislature and the responsibility of the Ministers to it are regarded as two of the best fruits of the Reforms, and it is a pity that in the budget there was an attempt to deprive the Council of these fundamental rights, by a reading of the Act, which the words do not really bear. A resolution for the reduction of the Ministers' salaries was brought before the Council of a sister province and was rejected, but the head of the Government there, himself a member of the joint Select Committee, very wisely

put the Ministers' salaries on the voted list. But here the case was different. However we hope that the mistake will be rectified now, as it is better to be late than never.

With these words, I commend the resolution to the acceptance of the Council.

The Hon'ble Mr. KERR: I think the Council will have gathered from the reply which was given yesterday by the Hon'ble Sir Henry Wheeler to a question on this subject that Government are prepared to accept this resolution. The account of the matter as given by the mover is, I think, not quite accurate, and I will, therefore, just take the Council very briefly over the history of the case. On the 14th March, Sir Henry Wheeler made a statement in this Council in which he explained the legal issues involved. I need not repeat those legal issues. Sir Henry Wheeler said that the view of the Advocate-General was that the Ministers' salaries, a debate having already taken place under section 52 of the Act, should not be placed upon the voted list. That was the view of the Advocate-General, but Sir Henry Wheeler added that the Bengal Government had not the slightest desire to impede the Council in the exercise of any statutory rights which it might possess. He accordingly said that we were prepared to obtain the opinion of constitutional lawyers in England on the debated point.

We made a reference to the Secretary of State and, as Sir Henry Wheeler said yesterday, the opinion of the lawyers consulted is that the effect of the provisions of sections 55 (*1*) and 72D of the Government of India Act is that a vote of the Legislative Council taken before the presentation of the budget to determine a Minister's salary does not preclude the Council from varying that salary by subsequent votes and does not remove the salary from the control of the Council under section 72D. Accepting that rule, it will be necessary to place the Ministers' salaries under the voted heads in the budget to be presented in this Council, and I need not say that we have arranged to do this next year and in future years. I am therefore prepared to accept the resolution on behalf of Government.

The motion was then put and agreed to.

Postponement of Resolution.

Babu RISHINDRA NATH SARKAR: With regard to the following resolution standing in the name of Babu Surendra Nath Ray, I beg leave to suggest that it be postponed till the next session:—

"This Council recommends to the Government that early steps be taken for the establishment of a city civil court for Calcutta."

The motion was then, by leave of the Deputy-President, postponed till the next session.

Postponement of the Bengal Village Self-Government Act.

Dr. A. SUHRAWARDY: "This Council recommends to the Government that the operation of the Bengal Village Self-Government Act, 1919, be suspended in such areas where it has been subsequently found that local conditions are not at present favourable to the growth of self-governing institutions."

At the very outset, I desire to dispel the apprehension of some members of the Council by making it clear to them that although the resolution which I have moved is so worded as to include many areas in the Presidency of Bengal, it has special reference to the conditions which prevail in the district of Midnapore with which I am closely associated. I believe it will be in your recollection that the Bengal Village Self-Government Act was regarded by its authors as an important advance in Local Self-Government, and an experiment of supreme importance with beneficial and far-reaching results. It was designed to combat the evils of diseases such as are rampant in the villages of Bengal. The Bill came into being with high hopes and the best of intentions. The people eagerly looked forward to it as a measure which promised them health and happiness. Not long ago, I myself received numerous petitions from the villagers in the Sadar subdivision of Midnapore praying for an extension of the Act to certain groups of villages. But in less than a year a great change has come over the people of my district. Instead of praying for the extension of the Act they are now clamouring for its withdrawal. A tense situation has been created in the district of Midnapore, notably in the subdivision of Contai. In a series of articles in the *Amrita Bazar Patrika*, Mr. B. N. Sasmal of Contai criticised at length the provisions of the Act and deplored the hardships of its operations. He put a number of questions for the members of the Bengal Legislative Council to answer. I do not desire to take up the time of the Council by repeating those questions here or recounting the causes which have led to the situation in Midnapore. I am not here to apportion the blame or determine the responsibility for the failure of the Act. Whether the unpopularity of the Act is due to its inherent defects, or whether it is due to the inexperience of the officers who administer it or to the non-co-operation movement, I need not consider at present. It is sufficient for my purpose here to tell the House that the people of Contai are condemning the Act, the operation of which they say is neither beneficial to them nor designed to cure the evils they suffer from. Hundreds and thousands of villagers in the Contai subdivision have refused to pay their dues under the Act, whilst they cheerfully submit to the attachment of their property which is ten times more valuable. While I am not an advocate of the policy of concession to clamour or surrender to agitation, I would be the last person to relish the

idea of any measures, however beneficial, being thrust upon an unwilling people. These are my reasons for moving that the Bengal Village Self-Government Act be suspended in such areas where it has been subsequently found that local conditions are not at present favourable to the growth of self-governing institutions, in other words, where the people are not sufficiently advanced to appreciate its benefits. I earnestly trust that the Hon'ble Minister for Local Self-Government who has done so much for the growth of self-governing institutions will rise to the occasion and give one more proof of his strong and far-sighted statesmanship by accepting my resolution, and directing, on the advice of the Divisional Commissioners and District Officers, the suspension of the operation of the Act in such areas where it is desirable that it should be suspended. By asking him to do this, I do no more than ask him to give effect to the provisions of the Act.

THE DEPUTY-PRESIDENT: The next resolution being analogous to the one already moved, I now call upon Maulvi Rafi Uddin Ahmed to speak to the present motion.

Maulvi RAFI UDDIN AHMED being absent, the following resolution standing in his name was deemed to be withdrawn:—

"This Council recommends to the Government that in view of the financial crisis in Bengal the operation of the Bengal Village Self-Government Act, 1919, be postponed for the present."

The discussion then proceeded on the resolution moved by Dr. A. Suhrawardy.

Rai ABINASH CHANDRA BANERJEE Bahadur: I am afraid the resolution which the learned mover, Dr. Suhrawardy, proposes for recommendation to the Government, if adopted, will not help the situation. It is not that the people of the locality where the Village Self-Government was introduced do not or did not want it when it was introduced, but that they do not want it now as a result of the non-co-operation movement. What happened in Contai in the district of Midnapore where the mover of the resolution is the Chairman of the District Board is just happening in Birbhum. If the mover of the resolution thinks that after the introduction of the Act in a certain locality it has been found that it does not suit the conditions of the place, I do not know how far he is right. It is not that it does not suit the conditions of the place or that the people cannot pay the tax; the thing is that the people do not want to pay now. It is entirely within the power of the union board to revise the assessment. If it be found anywhere that the union board assessment has been more than what the people can pay, it is quite within the power of the union board again to revise the assessment. I will quote an example of a refractory union in Birbhum. The people first of all objected to the assessment. It was revised to such an extent that only nine members of

the union board were assessed at Rs. 31 more than the total amount of the old chaukidari tax, that is to say, all the other people had to pay the chaukidari tax only, and then there was no objection. But the circumstances have now so changed that when the District Magistrate went in conference with the people, what they said was most surprising and shocking. It was not that they could not pay but that they would not pay even the chaukidari tax. When the Collector remarked that if they did not care for the union board there was no reason why they should not pay the chaukidari tax, the people said that they would not pay the chaukidari tax even. This spirit is catching contagion in the other parts of the district. In all other union boards where the people are working very peacefully, going on with their works of development and adopting many schemes for improvement and have paid already half the year's taxes—they, too, have been coming forward now with a statement that they would not pay because they find that a certain union of the very same district can afford without paying any tax whatever. So if this resolution is adopted, the mere suspension of the operation of the Act will not meet the situation. As soon as the operation of the Village Self-Government Act has been suspended, the people will demand something else in its stead and will decline to pay any tax at all. If that be the position, is it advisable to accept the resolution?

Mr. BIJOY PROSAD SINGH ROY: I do not think I have much to say after what we have heard from the Rai Bahadur. But I must say that it is a matter of regret that the mover has thought it necessary to bring forward such a resolution at all—a resolution which goes against the general trend of public opinion which is all for the introduction and development of the self-governing institutions in the country. It is our supreme duty in this Council to foster and do all we can to help the growth of self-governing institutions. I am afraid there have been some misunderstanding and misgivings in some quarters—we should punish the whole nation by striking at the very root of self-government. Under the Act, the Divisional Commissioners have got the power to restrict its operation in any union, and I think it would be much better if we leave it to the discretion of the Commissioners without ourselves interfering with the ordinary duty of supervision, which they have over the union boards, by passing a resolution in this Council to this effect, because in doing so we shall be only giving prominence and stability to feelings which would otherwise have their natural end within a short time.

With these words, I beg to oppose the resolution.

Maulvi SHAH ABDUR RAUF: I rise to give my whole-hearted support to the resolution moved by Dr. Suhrawardy. There are more reasons than one why I support this resolution. Perhaps my learned friends who spoke on the other side are not aware of the financial distress that is prevalent in the villages of Bengal. I am afraid those who have opposed the resolution are not aware of the conditions that prevail in the villages

where the Village Self-Government Act is applicable. No doubt a perusal of the Act shows that it is meant for the benefit of the villagers. No doubt if it is applied properly and if funds are available to carry out the projects that are intended thereby to be carried out, it will improve the condition of the villages; but there are many villages and many unions where this benefit is not at present wanted by the people because of the financial distress. I speak from my personal experience as a member coming from the district of Rangpur. I have on several occasions moved the Collecor on behalf of the people of many a union to put a stop to the operation of the Act long before the non-co-operation movement fixed its root at Rangpur. I do not agree with my learned friend, the Rai Bahadur, that the people do want it, but it is the non-co-operators who are at the bottom, and if the resolution is passed it will be giving a helping hand to the non-co-operators. I am sorry I have to differ from this point. As I have already said, long before the non-co-operation movement found its way into Rangpur, I had received complaints from several persons against the introduction of this Act, which I laid before the District Collector. I fail to understand why a benefit is to be thrust upon the people who are unwilling to receive it; if the people themselves do not understand the utility of the Act, if they do not like to take the advantage which the Act proposes to confer, it is no use thrusting it upon them. I know on many occasions there have been many cases of repression on account of the realisation of the union taxes and there have been serious breaches of the peace in several places. The resolution does not say that the operation of the Act, should be entirely suspended, but that its operation should be suspended only in those areas where the local conditions are not at present favourable. I submit therefore, that this House will be well advised if it passes this resolution.

With these words, I beg to support the resolution.

Babu AMULYA DHONE ADDY: I am astonished to find this resolution moved by one of the leading members of this Council. I am strongly of opinion that the operation of the Bengal Village Self-Government Act, 1919, should, instead of being suspended, be extended to all the villages in Bengal as early as possible. It was only in 1919, not more than two years ago, that this Act was enacted by the Council. We must give a fair trial to the operation of this Act before we express our opinion on the subject. We all know the high rate of mortality in villages and I understand that this is due to the absence of water-supply; and that is one of the reasons I understand why a Board has been authorised to provide water-supply within its jurisdiction. We all know how deplorable is the condition of the roads in the villages and I understand that is one of the reasons why the Board has been entrusted with the repair of the roads in their respective villages. We also know that most of the villagers are illiterate; that is one of the reasons why the Board has been authorised to encourage primary education in their respective villages. We also know the high rate of mortality amongst the cattle in the villages. These

are the duties which have been entrusted to the Board and the sooner they discharge these duties the better for themselves. That requires money and they must pay for it. I am really astonished to find that the villagers of Contai have refused to pay taxes—the payment of taxes is not to the Government but to themselves for their own good, for the improvement of the roads and for the improvement of the water-supply. I am sorry to say that it is due to non-co-operation that they refuse to pay the taxes and that should not be encouraged. It is nothing but an introduction of a system, I mean Panchayat system, which was in vogue some years ago. On the contrary we shall thank the Government for the introduction of this system amongst the villagers themselves. The object is not to encourage litigation but to have their disputes amicably settled at the least cost to the parties themselves.

With these remarks, I strongly oppose this resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: This is not a Hindu-Muhammadan question. I have therefore much pleasure in supporting my friend, Dr. A. Suhrawardy, with whom I very much disagreed yesterday. This resolution is on the very face of it very inoffensive. It says that the Village Self-Government Act be suspended in such areas where it has been subsequently found that local conditions are not at present favourable to the growth of self-governing institutions. It leaves to the Government the power of withdrawing any area from the operation of the Act. So, I cannot find any ground for opposition to this very simple and inoffensive resolution. The Government has full power to extend or to withdraw the operations of the Act. He does not mean to say that Government had no power to withdraw under the Act. He simply suggests that Government should have the power of withdrawing any area from the operation of the Act, that is the whole resolution. So far as I am concerned, I would have been prepared to support the next and more general resolution. The objections to the present Local Self-Government Act are many. They have been detailed in the newspapers. No doubt they have been detailed by Mr. B. N. Sasmal, a non-co-operator, and in the non-co-operating newspapers, but that does not take away from the strength of the arguments. The facts mentioned by him are patent to everybody. The objections mentioned by him must be met and not whittled away. I cannot for a moment, I certainly do not and I will not give way to any agitation or non-co-operating activities, but when I find there is reason for a real grievance, when I find that thousands of men are giving away their cattle and every movable property, it makes me pause. I say there must be some very grave and serious grievance which makes them do this. Mr. Gandhi alone could not do that. Therefore, I would very much desire the Minister in charge of Local Self-Government Department to reconsider and redraft the Local Self-Government Act and place it before this enlarged and reformed Council. The Act was passed by the last Council and it is due to us, and due to the Reforms that the matter should be reconsidered.

Khan Bahadur ABDUS SALAM: The subject of discussion being the Village Self-Government Act, I rise to a point of order.

The DEPUTY-PRESIDENT: The speaker ought to confine himself as much as possible to the resolution before the House.

Rai JOGENDRA CHUNDER GHOSE Bahadur: The resolution prays that the operations of the Act be suspended, and in supporting it, I say that when you ask that the Act should be suspended, it must be on the ground that this Act is defective. Not upon any other ground can I ask you to suspend it. Therefore I appeal to the Minister in charge to amend the Act and to make it popular.

Rai MAHENDRA CHANDRA MITRA Bahadur: I beg to oppose the resolution. Being connected with the district board for a long time I think I can explain to the hon'ble mover that he is not justified in pressing this resolution to the Council. The resolution itself appears to be very vague. Although he refers to the "local conditions" which are not at present favourable to the growth of self-governing institutions, he does not define what these conditions are. Nor are we in a position to understand what the hon'ble mover means by local conditions as he has not explained them. The expansion of self-governing institutions depends entirely upon the growth of the unions themselves. The unions are the units of the success of local self-government and when the unions were catalogued by district boards they inquired into the capacity of those unions who could stand the growth of self-government. If rate-payers of these unions are poor and are unable to pay the tax, they are all free from the law and from the operation of the Act itself. The mover suggests that some unions should now be exempted from the operations of this Act, but may I ask what was the state of things when they were included in the list? Then, again, if there be any difficulty it can be settled by the Commissioner of the Division in consultation with the Chairman of the District Board. There is that provision under the law and I remember very well that when this Act was on the Legislative anvil the question was raised and discussed by the old Council. Powers were given to certain officers who could settle disputes; the district board has the authority to interfere in the matter and consequently there is a harmonious settlement of the whole question. Therefore, what is the necessity of referring this matter to the Council? It is a vague resolution not based upon any proper idea of the question that has been raised. I am not justified in entering into the ulterior motives, but I can say that if there be a dispute between the Circle Officer and the rate-payers that question can be settled by the district board and the Commissioner of the Division. If the decision of the Commissioner of the Division be against the interest of the rate-payers, that particular matter may be brought to the notice of Government. Supposing the Council allows the resolution to be passed to-day, what would be the effect of it? It would

not touch those who are moving this resolution and even if accepted it will not have a salutary effect. I, therefore, submit that we must have concrete cases to deal with and this can be done by those in whom the authority is vested. These are the grounds of my opposition to the resolution itself. Sir, I have no quarrel with the co-operator or non-co-operator in discussing this question. I am much concerned with the growth of local institutions and note that the unions are the important units of self-government. I stand upon legal grounds, upon the interpretation of the section itself and upon the spirit of the Act. If you allow this resolution to be passed, I am sure that local institutions in the unions will be at an end.

The Council here adjourned for 15 minutes.

After the adjournment.

Maulvi RAFI UDDIN AHMED: In theory the Village Self-Government Act has been found to be of good use to the people but in practice, however, a good deal of difference existed. Of course, we have no ambition to live in palaces and to be drawn in a chariot of four horses; no theories will help us to do that. But people are unable to pay even the chaukidari taxes and if the taxes be further increased they would be unable to pay them. It would be impolitic to impose further taxation on them. Any fresh taxation will simply help the non-co-operation movement. It is no good forcing the Village Self-Government Act on the people who cannot afford to pay the taxes.

Babu KISHORI MOHAN CHAUDHURI: I have some sympathy with the resolution moved by my friend Dr. A. Suhrawardy. The introduction of Local Self-Government to any area must be optional; if the people do not want it, it should not be introduced. In the resolution it is suggested that though the Village Self-Government Act had been introduced, the operation of the Act should be suspended if the people subsequently change their mind. If I remember aright, there is a provision in the law that the operation of this Act may be suspended by the Commissioner. If the Village Self-Government Act is not to the liking of the people concerned, I think, the Commissioner would not be unwilling to suspend or withdraw it. We are not to think of the co-operator or the non-co-operator; we are concerned with the operation of the Village Self-Government Act. It may be that under the persuasion of the Circle Officer or some pressure exerted by the District Officer people agreed to the formation of a union board, but if subsequently they find that for some reason or other there are difficulties in the way of realisation of the taxes, the Act should be suspended or withdrawn. I see no reason to go against the wishes of the people; the Commissioner ought to accede to their wishes.

So far as I remember there is provision in the law for some taxation. Rai Mahendra Chandra Mitra Bahadur points out there may be some difficulties in the beginning, but is there any knowing how long these difficulties will continue? In this view of the matter I am in favour of the proposition made by my friend Dr. A. Suhrawardy.

Maulvi EMADUDDIN AHMED: I beg to oppose this resolution and my reason is this: If we study the history of British rule (I think I may say without fear of contradiction) we find that there has been a little amiss in not spreading education among the masses. The Village Self-Government Act is the first principle upon which the education of the masses in self-government is to be taught and not on the amount of tax realised from any particular area. The masses must be educated in the principle of Local Self-Government, but individual cases may come forward in which it is impossible to meet the cost; in that case the district board may help But to suspend the operations of the Act would be to strike at the root of the very principle of Self-Government. On this principle and not on monetary consideration I am opposed to this resolution.

The incident at Contai is no doubt due to the non-co-operation movement. In my district some people came forward to get the benefit of the Village Self-Government Act. They find that by paying a little tax they can improve the water-supply by excavating some wells, improve sanitation and even education; certainly there are other considerations and difficulties, but that is no reason why the operation of the Act should be suspended. It is the duty of the District Officer, the Chairman of the District Board and all members of the District Board to educate and enlighten the people as to the benefits of the Act. The taxes may be lowered down but the suspension of the operation of the Act is unthinkable. On the above ground I am opposed to this resolution.

Maulvi MAHAMMED MADASSUR HUSSAIN: I rise to oppose the resolution which has been moved by my learned friend Dr. Suhrawardy. Sir, I think that if there is to be no self-government in villages, there should be no self-government in the province. The only objection that has been raised by some of the supporters is that the villagers are poor, that they are unable to pay the union board tax, and that therefore the operation of the Acts should be suspended——

The DEPUTY-PRESIDENT: Please put on your head-dress.

Dr. A. SUHRAWARDY: May I rise to a point of order? Is it the rule that only Muhammadans should put on their head-dress? I must frankly tell the House that we are rather sensitive about this point.

The DEPUTY-PRESIDENT: If a Muhammadan is in his Indian dress, he must put on his head-dress.

Maulvi MAHAMMED MADASSUR HUSSAIN: The Deputy-President is quite correct. I should have had my head-dress on.

The only objection which has been raised by some of the supporters is that the villagers are poor, that they are unable to pay the union board tax and that therefore the operation of the Act should be suspended.

If we carefully consider what the functions of the village union boards are, we will find that these functions are divided into two classes. The first is the maintenance of chaukidars, and the second is the improvement of sanitation, water-supply, village education, etc. Now, by the operation of the Village Self-Government Act, the Village Chaukidari Act is abrogated. Even if we suspend the operation of the Village Self-Government Act, still the Village Chaukidari Act will be there, and for the purpose of maintaining the chaukidars you will have to raise taxes and find money, and how can you find money without taxing the people? If you propose to suspend the operations of the Village Self-Government Act, you must be prepared to raise taxes for the maintenance of the chaukidars, because you cannot do away with chaukidars; the chaukidari lands with the help of which previously the chaukidars used to be maintained, have been alienated by the Government. That is a big question, I am not dealing with the point whether Government is right or wrong in alienating the chaukidari lands, and frittering away the resources of the village. The simple question before the Council is whether you shall suspend the operations of the Village Self-Government Act in some of the districts. We cannot abolish chaukidari taxes; it is not within our power to abolish chaukidari taxes. Then why do you suspend the operations of the Village Self-Government Act? Even in those places where you think that the people are very poor, where you think the people cannot or are not in a position to pay taxes, you should raise only so much in taxes as will be sufficient for the maintenance of the chaukidars. If you like to improve the sanitary condition of the villages or improve roads or the water-supply, you may ask the district board for funds, or you may ask Government for a grant and they will help you, and in fact, you may do so much good as will be compatible with the money that may be at your disposal.

With these words I beg to oppose the resolution of my friend Dr. Suhrawardy.

My friend the Rai Bahadur says that it is owing to non-co-operation that the people are raising objections to the maintenance of these union boards. I say it is not; I come from the same district—Bubhum—from which the Rai Bahadur comes. Mr. Lambourn, the District Magistrate, requested me to go to some places and explain to the people the benefits of the Village Self-Government Act and of the union boards. I went myself to several unions, and there I found that it was not owing

to non-co-operation that the people refused to pay taxes or refused to have anything to do with union boards. It is for other reasons. When I go to the union boards, the people ask me how it is that the Government have alienated the lands by which the chaukidars used to be maintained and have now given them over to the zamindars; they further say that if these lands had been left to the village, there would have been no need to raise taxes for the purpose of maintaining the chaukidars. I am a lawyer and know something of the law, and I know the reason why Government have made over the chaukidari lands to the landlords. I tried to explain the reason, but they were not at all convinced. They only repeated the request that I should move the Government to let them have their chaukidari lands back, and after that they say they will themselves raise taxes for the improvement of sanitation, water-supply, village education, and things like that. All this is not due to non-co-operation. Non-co-operation in our district has not found any place It may be that during the recent settlement operations, non-co-operating agitators may have tried to accelerate the unrest which was there before.

It is for these reasons that I beg to oppose the resolution of my friend Dr. Suhrawardy.

Babu SURENDRA NATH MALLIK: I am very sorry I have got to oppose the motion of my friend Dr. Suhrawardy. I do not think that he, of all men, should have proposed a resolution, which, to my mind, is of an almost suicidal character The Village Self-Government Act is the seed laid in the village out of which our future life has got to grow. Do you want to smother that growth? That is what is proposed. If it is thought that there are defects in the Act, that there are certain sections which are working in a way which is very hard for the people over there, by all means suggest improvements. The present Council is somewhat different from the Council of 1919 which passed the Act. You have now your own men, who can bring your grievances to the front, and you can ask your friends to help you to get the Act amended on the right lines, but pray do not for one moment try to smother this institution out of which our future village life, our social life, even our national life has got to grow. I do not know if my friend has thought over this matter from this point of view, and I think I would ask him to reconsider the situation and withdraw his motion, and to help the Hon'ble Minister to see what can be done to better the Act, and to make it more suitable to the needs of the country. It has been said that ours is a poor country; it is so, we are a poor people indeed, and it is for this reason that people cannot do things by themselves. Poor people must combine, they must co-operate; that is the only method by which poor people can work. I cannot, as a poor man myself, improve my own land by taking a village road by its side; I have to depend upon the support

of the villagers; we have to join together, and then I can do some good both for myself and my fellow villagers. My ancestral home is in Singhur. Last year, the President of the Union Board, who is also the Secretary of the School Committee of which I am the President brought to my notice a serious and determined opposition to this, as the people were coming to him and saying that they would not pay taxes and were seriously opposing him. I asked him to call a meeting of all these villagers and the neighbouring villagers and have a talk with them. I went down about a fortnight after, I met these people, discussed the matters with them at two or three meetings and now, after eight or nine months, they have appreciated the good work done by the President, with the result that we have been able to carry out some improvement in the locality. Last week I went there to hold a meeting of my school committee I have no magnetic personality, or attractiveness like some of my young friends here, but I found there that things are taking shape and matters are improving I am perfectly sure there are very few unions which have made better progress within this short time in the matter of drinking water, sanitation, improvement of roads, etc The young President does everything himself. In fact he asked me, on the last occasion on which I went there, to bring to the notice of the Minister in charge, that the district boards and local boards and the Railway Boards were not doing their duty in keeping their roads clear of jungle and in order If you explain these things to the people, they will soon find that it will pay them to look after things themselves That is the only way in which we can teach the people, and we can learn ourselves what communal life is; our own village and national life Do not please smother this Act; it will not be the proper thing to do. If there are hardships in a locality, you should go to the Chairman of the District Board or the President of the Village Union Board; take them into your confidence and use your influence with them It is said that the people are unreasonable; they may be so, but they are our own people and we have got to work with them.

I do not think that this resolution ought to be accepted at all, and I hope my friend will take all these facts into consideration and see his way to withdraw the motion.

Babu NIBARAN CHANDRA DAS GUPTA: It has been said that we are on the highway to national progress, but if this Council adopts the resolution moved by Dr Suhrawardy it will be described as a house of masons who are clever enough to bridal the apex of the pyramid without laying the base. We are striving for self-determination and self-government, but at the same time, we ignore the fact which has been stated, times without number, that without self-government in the villages, it is impossible to understand how there can be self-government in the country. Now, it has been said that

there are people who do not like this place of legislation. As regards these villagers, if you look to the psychological aspect of things, you will find that they are mostly agriculturists, and any measure which you introduce for their benefit and utility, may be difficult to carry out, particularly when there is a question of taxation involved. They are taxed by the Supreme Government, they are taxed by the Provincial Government, they are taxed by the District Administration, but they do not like to be taxed by themselves for their own benefit. That is what my friend suggests by his resolution. Here, under the provisions of the Village Self-Government Act, they have to tax themselves, for their own benefit, in order to improve their own conditions. Now, the Village Self-Government Act was passed by the Government and it is not proposed to amend the Act, nor is it proposed to annul that Act, but it has been proposed by Dr. Suhrawardy that under peculiar circumstances, in particular areas the operation of the Act should be suspended. Government did not extend the operation of the Act, all at once to all parts of the province. The Act is being gradually extended. I do not know the conditions of Midnapore, but I read in the papers that certain non-co-operators are trying there to impress upon the people that the Act is not for their benefit, but meant simply, for raising money by taxation, and whenever the question of taxation is raised, there is no difficulty in inducing people to oppose it. But at the same time, taking into consideration the illiteracy, the want of intelligence and other conditions of these villagers, they have to be taught the art of self-government. By speeches either in the Legislative Council or the Legislative Assembly, I do not think it will be possible to teach them the rules of sanitation or the utility of other measures which go for their improvement For instance, take the case of co-operative societies. Are the villagers even now impressed with the utility of these societies? I do not think so; we have got to teach them. If the provisions of the Local Self-Government Act are properly followed and properly applied, there will be no difficulty in carrying them out.

Then as regards taxation, I submit to this House, that there is already the chaukidari tax in existence, and where the union boards are formed there will not be any chaukidari tax, and when any proposal for important sanitary improvements comes forward, why should people refuse to pay taxes? Of course the non-co-operators by telling the people that the taxes are too high and that it will be an additional burden on the people and so they must not pay the tax, poison the minds of the villagers and they refuse to pay. We must do our best to try and remove that idea by teaching the people that it is for their own benefit that they are asked to tax themselves and every pie so realised will be spent for their own benefit. Then we may also say that the district board will come to their help. The benefit derived from the measures of the district boards is not so much appreciated.

If they raise taxes for their own benefit and get a portion of the cesses from the district boards, I think they will very much appreciate the provisions of the Bill and the object of the Legislature in passing the Bill, will be achieved.

With regard to the peculiar circumstances in Midnapore, I think this Council should be the last to adopt the procedure recommended in the resolution. Let not the idea get abroad that we are divided in our own House as this will give a fillip to the spirit of non-co-operation. Further, as has been pointed out by Rai Bahadur Mahendra Chandra Mitra, the resolution has been very indefinitely worded It is proposed in the resolution to "suspend the operations in such areas, where it has been subsequently found, etc." Who is to find that out? Then, again, "local conditions are not at present favourable, etc." What are the local conditions?

It may be said that the country is not prepared for the Reforms or for Self-Government That kind of talk should not be tolerated. That will be really laying the axe at the very root of self-government itself.

The Hon'ble Sir SURENDRA NATH BANERJEA: Let me congratulate the House on the public spirit, if I may say so without impertinence, and the capacity which it has displayed in connection with the question of local self-government which it is my privilege to control. The debate has disclosed the fact that there is a strong cleavage of opinion in the House as to the merits of this particular resolution. There is a strong feeling against it; there are also some who are in favour of it. The feeling against it is founded on the love of self-government which a Council like this must necessarily cherish.

In 1919 we passed the Village Self-Government Act and now, under the shadow of the Reforms in 1921, when we are working the new Reforms, we are called upon to suspend the Act in such areas where the local conditions are not favourable. Naturally the sense of the House revolts against a proposition of this kind. There may be some, familiar with the local conditions in particular areas who may favour a resolution of this kind, but the House must realise that in the abstract, a resolution of this nature must appear to be reactionary and that accounts for the general opposition which has been offered to-night, and I must say that, as Minister in charge of Local Self-Government, I do not like any retrograde step to be taken in connection with anything with which I am entrusted. If circumstances compel me in any particular area to take such a step, I may have to do so, but with the utmost reluctance, and with the greatest hesitation. Therefore, I am in entire sympathy with the House in the attitude which it has assumed with regard to the general aspect of the question. This is a reactionary proposition which militates against the vital principles o. local self-government. But local self-government has two aspects.

We introduce local self-government in an area; the union boards are not established at once; after a considerable time. We send round our circle officers; they go about making inquiries and talk to the people, and when they find that a certain body of public feeling has been created, union boards are established. Therefore, we start at the very genesis upon the assumption that this institution is supported by local public opinion. Suppose in the course of events, a body of public opinion is created against the continuance of such an institution, what are we to do? The institutions of local self-government are based upon popular feeling, if the people do not want them, we cannot thrust them upon them; if they want them, we rejoice. What I desire to say on behalf of Government is that we are most anxious to extend the union boards throughout Bengal and our solicitude in this matter has been evinced by the large number of local boards—the number is over 1,000—which have been created all over Bengal within the last two or three years, and the number is steadily increasing; not long ago, I circularised the District Magistrates in order that they should take a particular interest in this matter, and hurry on the establishment of union boards within their areas. Thus the sympathy of Government is entirely in favour of the extension of the movement and in favour of the creation of union boards. But, Sir, through whatever causes if in any particular locality circumstances are unfavourable and public sentiment demands the discontinuance of these union boards, then in accordance with the spirit of local self-government, we must give the utmost consideration to the circumstances and take note of them, and deal with them in accordance with the principles of local self-government, however reluctant we may be to do so. Therefore, it comes to this, that if despite the sympathy and solicitude we feel to add to the number of these union boards, if we feel that circumstances are so unpropitious to the continuance of these institutions, we shall have to take note of the fact and, if necessary, with great reluctance, suspend them.

That, I think, is the true principle of local self-government which I am charged to enforce. Therefore, I want to tell my friend, in view of the attitude of this House, with which I am in deepest sympathy, that he should withdraw this resolution with the assurance that I desire to give him that in any particular case that may be brought to my notice, in which the unfavourable conditions are of an acute character, that case will receive my careful consideration. I trust that after this assurance my friend will withdraw his motion.

Dr. A. SUHRAWARDY: In view of the pronouncement of the Hon'ble the Minister in charge, and the assurance that he will give the utmost consideration to particular cases, I beg leave to withdraw this motion.

The motion was then, by leave of the Council, withdrawn.

Location of Presidency Magistrates' Courts.

Rai Dr. HARIDHAN DUTT Bahadur: "This Council recommends to the Government—

(*i*) That the present arrangements of having the courts of the Presidency Magistrates in the same building, for the trial of 'serious' as well as 'petty' cases, but at different places, in Calcutta, be abolished;

(*ii*) That henceforth all courts for the disposal of 'serious' criminal cases, in Calcutta, be located in one and the same building or in detached buildings in the same compound, in some central place in the city; and

(*iii*) That all courts for the disposal of 'petty criminal cases' in Calcutta, be located in a building or buildings which is or are detached from, but close to, the court for the trial of 'serious' criminal cases."

This is the third occasion on which a proposal is being put forward in this Council, on the subject of the location of the police courts in Calcutta. I have been induced to move in the matter in consequence of facts which have come within my own observation as an Honorary Presidency Magistrate.

In days of yore, the *Faujdari Adalat* was situated in *Faujdari Balakhana*, in Calcutta. But, with the introduction of the British system of Administration of Justice, the Criminal Court of Calcutta came to be located at Lal Bazar and there it remained for more than a century. It may, however, be mentioned that, in 1845, Calcutta was divided into two Magisterial Divisions, viz., "North" and "South," but the courts of the Magistrates of both the Divisions continued in the same building at Lal Bazar. The system worked well and the public were never put to any great inconvenience in coming to the centrally-situated police court at Lal Bazar and there was "no cry from any section of the public to break it up into sectional courts located in different parts of the town" (*vide Bengalee*, 13th May, 1913).

It appears that, in 1913, "all the available space and buildings" within the Police compound at Lal Bazar were "urgently required by the Commissioner of Police for his own purposes" and a cry was raised that Calcutta was too big for one Central Police court and that the accommodation in the police court building at Lal Bazar was inadequate and that the then existing arrangements were "seriously inconvenient to all concerned and rendered the orderly and prompt despatch of business a matter of great difficulty", and it at once became "the subject of the most anxious consideration by the Local Government." It was, however, recognized that "the real solution of the difficulty

lay in the entire removal of the police courts to another site" (*vide Calcutta Gazette*, 9th April, 1913, Part IV—A, p. 463).

"To relieve the physical congestion" of the police courts at Lal Bazar, His Excellency in Council, however, decided "as an experimental measure" to create two new courts in the Northern and Southern portions of the town, respectively, and effect was given to the same from the 15th January, 1914 (*vide* Resolution No. 1553 P.—D., dated June 4th, 1913, p. 709, Supplement to the *Calcutta Gazette*, dated June 11th, 1913).

But, shortly after the partition of the police courts was effected, the old premises occupied by the offices of the Commissioners of Police, Calcutta, was demolished and the Chief Presidency Magistrate was asked to make room for the Commissioner of Police and had to remove himself from Lal Bazar to that old and dilapidated building at Bankshall Street. And it at once became apparent that it was really, for the convenience of the police that "the makeshift remedy" was resorted to.

With the partition, however, there was a considerable increase in the recurring and non-recurring charges (as the statement placed in the Council table on the 4th July, 1921, in reply to an unstarred question of mine bearing No. 24 would show) and the measure instead of producing any benefit to the public put them to serious inconvenience and hardship and delayed the prompt despatch of business. Upon this, the Hon'ble Maulvi A. K. Fazl-ul Haq moved a resolution, at a meeting of the Bengal Legislative Council, held on the 13th December, 1915.

The Hon'ble Mr. Lyon, on behalf of the Government said—

> . while opposing the resolution and leaving the decision to the Council, I would say that we shall be very glad indeed to receive any advice in the matter We have definitely taken up this change of courts as an experimental measure, and we do not wish to come to a final determination in too great a hurry . I would suggest, therefore, that the resolution be not accepted by hon'ble members until we have gained further experience which will enable us to arrive at a decision on more adequate grounds

Though the resolution was put and lost, it did not meet with an absolutely direct negative. All that was said about the Kyd Street Police court was considered and the Government, after carrying on the experiment for more than two years, at a cost of a few lakhs of rupees, at last realised that "the Kyd Street Police court had not been an entire success, as there was not sufficient work for it at the time" but, curiously enough, embarked on another piece of experimentation. The Kyd Street Police court was abolished and, in lieu of three, two police courts, with altered jurisdictions, were called into existence at Jorabagan and Baukshall Street, with effect from the 25th April, 1916.

The Hon'ble Mr. A. K. Fazl-ul Haq—after the "experiment" had a further trial for about four years—again moved a resolution at a meeting of the Bengal Legislative Council, held on the 4th July, 1919.

The Hon'ble the Maharajadhiraja Bahadur of Burdwan stated that "it was a distinct advantage to bring justice nearer the people" and "there was nothing to show that the present arrangement was not working satisfactorily."

As an Honorary Presidency Magistrate I am in close touch with the working of the police courts. From what I have seen myself and from the numerous complaints which have reached me from time to time, I should say that the present arrangement is not working satisfactorily. The present system of having the courts of the Presidency Magistrates at different centres caused great hardship to the public. It is only a truism to assert that the "public are benefited by the disposal of their cases much nearer their homes." It is quite obvious that, during the working hours of the courts, most of the people (for whose alleged benefit the new courts have been called into existence) do not remain at home but go either to the office-quarters or to business areas of the town and that the centre of their gravity lies near about the Dalhousie Square between 10 A.M. and 5 P.M. It does not tend to the convenience of either the parties or their witnesses by the holding of a court nearer their homes at a time when most of them are far away from their homes. Great inconvenience is also felt by the commercial people and the public officers in attending the Northern Division police court at Jorabagan, which is far away from the commercial and business areas and office-quarters of the town. Most of the Honorary Presidency Magistrates, I may say, feel great inconvenience in attending the Jorabagan court and a far larger number of them express unwillingness to attend the Southern Division court than the Northern Division court. So far as the people in the Southern Division of the town are concerned, they have not been benefited in any particular way by the location of the Southern Division court at Bankshall Street, which is only at a short distance from the old Lal Bazar Police court building. But the location of the Northern Division court at Jorabagan has greatly inconvenienced the public. Judged from the point of view of public convenience, the Jorabagan court does not suit the public as the majority of the litigants are poor men and a court centrally situated and easily accessible by tram cars is more convenient than courts situated at places out of the tramway route and only accessible through the more costly agency of hackney-carriages or motor-cars.

So far as the court buildings are concerned "it has always been a source of complaint by the public that the accommodation provided for pleaders, witnesses, parties and the Magistrates themselves is hopelessly and entirely insufficient."

A college building and an old office premises were converted into courts at Jorabagan and Bankshall Street respectively. They are in many respects unsuitable for police courts. The Bankshall Street court building is very old. It was long ago condemned as unsafe. The rooms on the ground-floor are dark and unhealthy. The main staircase is enveloped in such darkness that one is always in danger of breaking his shins. The rooms on the first floor are small, rather dark, ill-ventilated and quite unfit for use as court-rooms. The accommodation is highly insufficient. The first floor becomes so much crammed with men, that one can pass and re-pass with considerable difficulty. The "physical congestion" is worse than that at Lal Bazar. The rooms on the second floor are not used as court-rooms, for fear that the whole building may tumble down. There is every now and then a stampede in the court as soon as a little sand-plaster peels off from the ceiling of any room. The building have, however, one redeeming feature, viz., that it has a spacious compound attached to it.

The Jorabagan building is unsuitable in many respects for use as a court. The greater part of it is occupied by the police and the housing of the Police and the Magistracy in the same enclosure is certainly undesirable. The number of rooms is insufficient and does not afford suitable accommodation to the Honorary Magistrates who are required to attend. The different departments of the office have been crammed into one small room. There is no lock-up attached to the court-rooms. The under-trial prisoners are taken up and down from floor to floor admist the vast crowd assembled there. There are no waiting rooms for the witnesses. There is no covered space outside where people could gather and consequently every body has to wait in the confined verandahs of the court to the great inconvenience of all concerned. The noise created in the confined verandahs and the incessant rumble of passing *tuca-gharris*, motor-cars, laden carts and the cry of *hari-bole* make it difficult at all times to hear what is going on in the courts. A grave error has been committed in attempting to accommodate the Northern Division courts on an inadequate and undesirable and inconvenient site.

The partition of the Calcutta Police courts has not produced the benefits that its official sponsors claimed for it. There has been an uneven distribution of work between the Magistrates.

At Lal Bazar, all the Presidency Magistrates sat in one building and the Chief Presidency Magistrate took cognizance of all cases and transferred them to other Magistrates, regard being had to the state of their files and there was a fair distribution of work. Now the Magistrates sit in different parts of the town, exercise limited jurisdiction, take direct cognizance of cases arising within areas allotted to them, and the distribution of work amongst them is not even. This is as it was expected to be. For the new police divisions of Calcutta to which the jurisdictions of the two new courts have been made to conform are

based more on considerations of geographical area than on the quantity of work actually arising within their jurisdictions (*vide* the statements placed on the Council table on the 4th July 1921, in answer to unstarred question No. 247). The result of the present arrangement has been that one Magistrate rises at 2 P.M., and another goes on holding court till 6 P.M.

It was stated that the partitions would lead to a prompt despatch of business. But events have turned out different from what the authorities expected. The Hon'ble High Court had only, of late, to complain more than once for a general delay in the disposal of the cases on the files of some of the Magistrates. A careful observation of the working and effect of the measure shows that several cases have to be kept back and adjourned on account of the prosecuting officers or material witnesses being engaged in one court, while their cases are being called out in another. Delay is thus caused in several Public Prosecutor's cases, Police cases, Excise cases and prosecutions under some of the minor acts, *e.g.*, Licensed Warehouse and Fire Brigade Act, Smoke-Nuisances Act, Tramways Act, etc.

At Lal Bazar, an Index was preserved of all convicts and the antecedents of the accused persons, sent up by the police for trial before the Magistrates, were traced, in most cases, in course of the day. But, since the partition, several cases have to be adjourned in the Jorabagan court, and accused persons remanded to *hazat*, for verification of their antecedents.

In several matters (e.g., Press Act, Extradition Act, several sections of the Criminal Procedure Code) the Chief Presidency Magistrate exercises exclusive jurisdiction. Suitors in the Northern Division of Calcutta have to go to the Bankshall Street court (which is presided over by the Chief Presidency Magistrate) for matters in which the Chief Presidency Magistrate exercises special powers but, for other purposes, they have to go to Jorabagan. This "double-court" arrangement neither leads to the convenience of the public, nor to a prompt despatch of business, nor to efficiency of the courts.

In matters of correspondence with the public and the various Government Departments and Public Bodies, there is often considerable delay, as, in the great majority of cases, there is correspondence between the Chief Presidency Magistrate and other Magistrates before a letter can be answered by the Chief Presidency Magistrate.

In the matter of all orders of the High Court, there is delay in communicating the orders to the other courts, as all such orders are addressed to the Chief Presidency Magistrate.

Delay is caused in the Northern Division court at Jorabagan in the matter of transfer of cases from the file of one Magistrate to that of another, with a view to regulate the pressure and distribution of work in that court. The Stipendiary Presidency Magistrate in charge of the Northern Division court has no power, under section 192 of the Criminal

Procedure Code, to transfer any case of which he has taken cognizance of from his file to that of any other Magistrate, but he has to refer each individual case to the Chief Presidency Magistrate, who alone has the power under the existing law. There is some delay experienced in the matter of putting up of old records in connection with the pending cases in the Jorabagan courts, for all records find their way to the Bankshall Street court at the end of the month of their disposal and inconvenience is felt by parties who, after having come to the court in which their cases were tried are told to proceed to the Central court to apply for and obtain copies of proceedings of their cases, which were only disposed of in the previous month.

Since the partition, the supervision of the Chief Presidency Magistrate has become merely nominal. Formerly the Chief Presidency Magistrate kept a daily watch on the files of all the other Magistrates and on the order-sheets of the cases pending in the courts of the Honorary Presidency Magistrates, and exercised a certain amount of administrative control over the Magistrates subordinate to him, but now he has lost touch with them. Besides, the partition, instead of giving the Chief Presidency Magistrate, "a substantial measure of relief" as was claimed by the Hon'ble Mr Stephenson-Moore, the then Chief Secretary to the Government of Bengal (*vide Calcutta Gazette*, 9th April, 1913, Part IV—A, page 463) has embarrassed him with a good deal of unnecessary work and has hardly left him time for inspection of the courts and offices The result of all this has been that the Cashier of the Northern Division Court and a Bench Clerk of the Southern Division Court were prosecuted and convicted and sentenced to various terms of imprisonment Besides some other Bench Clerks were either prosecuted or departmentally dealt with for grave dereliction of duties on their part.

Under section 21 (*1*) of Criminal Procedure Code, the Chief Presidency Magistrate framed a Rule, with the sanction of the Local Government, that complaints and cases arising in the thanas of Shampukur, Jorabagan, Burtolla, Burra Bazar, Jorasanko and Sukea Street shall be ordinarily tried at the Jorabagan Police Court. But the Chief Presidency Magistrate, without any sanction of the Local Government, ordered that "all motor-car cases and all petty cases take cognizance of by the Traffic Police, arising in any part of Calcutta, shall be heard at the Bankshall Street Police Court." Since the 11th November, 1921, a new court has been set up in Radha Bazar Lane for trial of all motor-car and traffic cases arising in any part of the city Besides a lot of cases of the Criminal Intelligent Department arising in the Northern Division Court were sent up to the Southern Division Court. What is the good of having a partition of the Courts, if cases arising within the jurisdiction of one are tried in another?

The public have not been benefited by the measure of partition. On the other hand the present system causes great inconvenience and hardship to the public Unnecessary and extravagant expenses have to

be incurred by parties in securing legal assistance. As was well observed by my friend Mr. A. K. Fazl-ul Huq:—

The parties can not get the assistance of lawyers of their own choice. The field of selection has been considerably narrowed. The lawyers who have established their reputation, have mostly stuck to the Central Court and now charge increased fees for their services in the other courts. The parties have to pay heavily for carriage and motor hire to meet the travelling expenses of lawyers who are taken from one court to another. The vast majority of pleaders have raised their fees, because they have got to earn their income by doing a far lesser number of cases at one place than formerly. Even the charge of the Public Prosecutor has gone up. It is a mistake to suppose that the partition of the police court can affect the pleaders at all adversely, for the members of the legal profession know how to make clients pay. You may cut off the jurisdiction of the courts into a hundred slices if you like, but the pruning knife will touch everything else but the pockets of the lawyers. It is after all the poor litigants who have got to suffer.—(*Calcutta Gazette*, 22nd December, 1915, Part IV-A, pp. 502-503.)

With the partition, there has been a considerable increase in the recurring and non-recurring charges. A statement placed on the Council table on the 4th July, 1921, in answer to my unstarred question No. 24, shows that the ministerial and menial establishment has been considerably increased and that the charge on the establishment has increased from Rs. 30,659 in 1913 to Rs. 41,577 in 1920. The contingent expenses have increased very much. The rates and taxes, hot weather charges, office expenses, liveries to peons, telephone charges, and the like have gone up considerably. The charge on contingency increased from Rs. 7,662 in 1913 to Rs. 16,603 in 1920.

The Police establishment attached to the courts has also been augmented and the cost thereof has increased from Rs. 39,061 in 1913 to Rs. 67,123 in 1920. The Public Prosecutor's staff has also been strengthened and the cost of the establishment of the Public Prosecutor has increased from Rs. 2,136 in 1913 to Rs. 3,360 in 1920. Besides the fees paid to pleaders for assisting the Public Prosecutor in conducting Crown cases rose from Rs. 9,265 to Rs. 17,374. Besides a huge sum (Rs. 1,74,597) has been spent, between 1913 and 1920, in the shape of additions and alterations, electric fittings, sanitary plumbing works, etc., in the Jorabagan, Kyd Street and Bankshall Street court buildings and in the shape of furniture and equipment of the new courts.

There has been no justification for a partition of the courts. There has been no appreciable increase in the number of serious cases which really indicate the criminal activity of the people. The area of the town has not also increased. The jurisdiction of the Presidency Magistrates remains unaltered. The population has already shown a centifugal tendency to move to places outside it, and which, with the operations of the Improvement Trust, is bound to increase more and more. Besides the cheap facilities of locomotion and communication have practically annihilated time and space in Calcutta, and it is not too big for one central criminal court. The greater city of Calcutta, including the suburbs,

contained three criminal courts at Lall Bazar, Sealdah and Alipore, and was never in any way behind Bombay or Madras. Besides the area, the character of the population, the physical features, the facilities of locomotion and communication, the growth and past history and various other considerations might have justified the existence of more than one criminal court in the other Presidency towns, but the local conditions of Calcutta have been altogether different and there is no justification for multiplying the number of courts in Calcutta.

If it has been the intention of Government to increase the "efficiency" of the courts, the end has certainly not been achieved by means of a partition of the courts. The new courts have enormously increased the expenses. There has been an uneven distribution of work; there is delay in despatch of business; there is inadequate supervision of the courts by the Chief Presidency Magistrate; there is considerable inconvenience and hardship to the public; there is increase in the fees of lawyers; in short, justice is not at present cheaply and easily accessible to the public. It is highly desirable that steps should be taken immediately to remedy the present state of things.

The public were never put to any inconvenience in coming to a Central Police court at Lall Bazar. It would be highly convenient if all the courts be located in some central place in the city. The Dalhousie Square forms what is the natural centre of the City (*vide* page 12 of the Joint Report on the City and Suburban Main Road Projects, by J. Madan, Engineer, and Albert De Bois Shrosbee, Chief Valuer, Calcutta Improvement Trust). The Bankshall Street court (which lies in the vicinity of the Dalhousie Square) is centrally-situated. It is also in the very heart of the commercial and business areas of the town and in close proximity to the office quarters and the police head-quarters. The Electric Tramway has made it a cheap place of access from any part of Calcutta. There is plenty of accommodation at No. 2, Bankshall Street. Besides "there is some vacant space available" in the New Opium Range, which is just to the west of the Bankshall Street compound (*vide* the answer given to unstarred question No. 101 at the meeting of the Bengal Legislative Council held on the 4th July, 1921).

I should suggest that the present Bankshall Street court building be immediately demolished and a new up-to-date, well ventilated, sanitary and commodious court-building be erected there, as early as possible, for accommodation of the Presidency Magistrate for trial of all "serious criminal cases." And in "the vacant space available" in the attached Opium Range, a suite of court-rooms for trial of "petty cases" may be easily constructed and the newly established Traffic court may be shifted there from its incommodious site at Radha Bazar. It is, however, quite possible to maintain the present division in the jurisdicion of the courts and yet to retain them in one and the same building or in a detached building in the same compound. Let the Chief Presidency and the

Second Presidency Magistrates exercise their jurisdiction over the Southern Division and Northern Division of the town respectively. Let them divide amongst themselves the work of hearing the petitions of complaint and the distribution of cases to the file of the other Presidency Magistrate. But let them sit in two wings of one building. This would be no innovation in Calcutta. This system obtained in Calcutta since 1845, and had a fair trial for more than half a century and it worked well.

In answer to a question of mine (unstarred question No. 14) the Hon'ble Sir Abd-ur-Rahim stated at a meeting of this Council of the 1st April, 1921, that he was "aware that the Southern Division Police court building at No. 2, Bankshall Street, was dark, ill-ventilated, insanitary and unsuitable for court purposes and was also unsafe" and that "Government proposed to demolish the existing building and to erect a new one in its place. No plan and estimates have yet been prepared and no provision had therefore been made in the Budget. A sum of Rs. 24,000 had, however, been shown in the Budget for hiring a house for the accommodation of the courts before demolition was taken in hand."

At the meeting of his Council of the 15th July, 1921, a supplementary "demand for grant" of Rs. 22,400 was made for "etsablishment of a special court for the trial of traffic cases" and also for a grant of Rs. 6,082 for "Police staff required for the special Stipendary Magistrate for the trial of traffic cases."

Now that the Government propose to erect a building for the Bankshall Street Police court and establish a special court for trial of traffic cases it is high time that serious consideration should be bestowed by this Council on the present arrangement of having the courts of the Presidency Magistrate in different parts of the town and, with this end in view, I have moved this resolution.

In answer to some of my questions regarding police courts statements have been furnished which show that there has not been any marked increase in the number of "serious" cases which really indicate the criminal activity of the people but that the "petty" cases have gone up by leaps and bounds during recent years. The "physical congestion," which has become evident, of late, in the Calcutta Police courts, is due to the rapid increase in the number of "petty cases." The existing arrangement of having, in one and the same building, the courts of the Presidency Magistrates, for trial of both "serious" and "petty" cases is objectionable. The best way to relieve the "physical congestion" would be to hold all courts for trial of all "petty criminal cases" in a building or buildings, which is or are detached from but close to the court for trial of "serious" criminal cases.

The court for trial of all "petty cases" should be situated centrally with reference to the out-post from which the great majority of these cases are sent up. It appears from the statement No. 2 furnished, at the meeting of 4th July, 1921, in reply to my un-starred question No. 247, that, out

of the total number of 79,108 petty cases tried in both the police courts, in 1920, the number tried in the Bankshall Street Police court has been 48,062.

Now we should take into consideration the fact that the Bankshall Street court site is closer to the two out-posts at Colootolla and that the two out-posts attached to the Sukea Street Thana and the Rambagan Out-posts of Burra Bazar are almost equidistant from the Jorabagan and Bankshall Street courts. The total number of cases which were sent up from those out-posts in 1920 was 12,771.

If these cases are tried in the Bankshall Street court (instead of at Jorabagan), the parties would not be inconvenienced in any way. From the geographical distribution of the "petty cases," I should think that the court or courts for disposal of all petty criminal cases, in Calcutta, should be located in a building or buildings which is or are detached from but close to the court for disposal of "serious" criminal cases at Bankshall Street.

I may, however, bring to the notice of my colleagues that to the west of the present Bankshall Street court building there lie the highly commodious Opium Range and it extends right up to the Strand Road. In answer to a question of mine (unstarred question No. 101) I was told at the meeting of the 4th July, 1921, as follows:—

The New Opium Range at No 14, Strand Road, Calcutta, which is situated on the west of the Bankshall Street Police court building is at present used for storing opium.

The building is at present used solely for the storage of opium, office accommodation and peons' quarters There is some vacant space available and a proposal to use this as a forms godown is under consideration

The building occupied by Messrs Cox's Shipping Agency is to the south of the Opium Range and has been leased by the firm from the Committee of the Sailors' Home

I should suggest that the vacant space available in the Opium Range should be utilised (with additions and alterations if necessary) for the purpose of holding court or courts for trial of all "petty cases." If the vacant space available in the Opium Range is not sufficient, the building occupied by Messrs. Cox's Shipping Agency may also be utilised. If this be done, there would be not only considerable saving under the heads of "Establishment of a Special Court for the trial of Traffic cases" and "Police staff required for the Stipendary Magistrates for the trial of Traffic cases" for which supplementary "Demands for Grant" of Rs. 2,400 and Rs. 6,982 were made at the meeting of this Council of 15th July, 1921, but the incommodious and unsatisfactory arrangement at Radha Bazar would be done away with.

If, however, the Bankshall Street site be considered too valuable for rebuilding the police court thereon and the vacant space in the Opium Range cannot be easily secured from the Government of India, the Bankshall Street site may be sold and the large sum (which it will certainly

fetch) will be enough not only to enable the Government to secure another site in the central part of the city but also to meet the cost of the erection of a suitable building. Here I venture to suggest, that a site to the south of the crossing of the Central Avenue and Bow Bazar Street will be no less convenient to the public and the requisite area of land may be easily acquired there now.

At this stage the member reached the time-limit; but the Deputy-President allowed him to go on for two minutes more.

Rai Dr. HARIDHAN DUTT Bahadur: Since my resolution has been before the public it has met with considerable public approval, as would appear from the resolution passed by the Indian Association and a public meeting and the editorial notices and comments appearing in most of the Calcutta dailies.

If my resolution be carried, there would be considerable reduction in recurring charges under the following heads:—

(*a*) Ministerial and menial establishment.

(*b*) Police establishment

(*c*) Public Prosecutor's establishment

(*d*) Contingencies.

(*e*) Fees paid to Pleaders for assisting the Public Prosecutor in conducting the Crown cases.

(*f*) Telephonic charges

(*g*) Rent and Taxes, and the like.

I, therefore, hope that this Council will give this matter their serious consideration and "bring about a change in a system for which there was initially no justification and which has only led to an enormous waste of public money without bringing about any desirable results."

With these words, I commend the resolution for the acceptance of the House.

Babu JATINDRA NATH BASU: I rise to support the resolution. It vitally concerns the administration of justice in criminal cases in this city. The citizens of Calcutta want the justice that is administered to them to be good, efficient, expeditious and inexpensive. The division of the courts by locating them in different neighbourhoods is a system which was introduced about seven years ago and it superseded the system that had prevailed for over half a century. We have to remember that municipal Calcutta is different from what is known as the city of Calcutta. The city of Calcutta has the Circular Road on the one side and the river on the other. The criminal courts that are located in Calcutta have jurisdiction only over that area; and a very large part of municipal Calcutta is served by the police courts that are located at Sealdah and Alipore. So we have the whole municipality of Calcutta

served by courts some of which are located within and some outside the city. When the subdivision of these city courts took place, it did not take place in response to any demand on the part of the public. There are many public associations in Calcutta. The commerce and trade of Calcutta have organisations of their own and there are political bodies representing zamindars as well as other sections of the community; they did not approach the administrative authorities with a request that there should be a subdivision of the city courts. As the location of the courts in the same building was causing some inconvenience, the Government introduced this system as an experiment. The experiment has now lasted for some years, and the Council has to consider whether in their opinion it has been a success. One thing is patent from the facts that have been laid before us by the hon'ble mover that there has been a considerable addition in expenditure. The ministerial staff and the police staff in the courts have had to be duplicated; then there are electrical and other charges which have also been doubled. These extra charges would not have been necessary if the courts have been located in the same building, or, as the Rai Bahadur states, in different buildings in the same compound. The courts could have been worked by the same ministerial staff. From the point of view of the litigant public, that there have been serious complaints that the administration of justice has been rendered more expensive. Lawyers now charge a larger scale of fees than they used to charge when the courts were in the same building. One regrettable and particular feature of the police courts of Calcutta which has been noticed by the High Court, namely, the frequent postponement of cases before they are finally disposed of has been more aggravated, and the reasons has been either that the lawyers engaged in those cases are absent in another court in a different locality or that the police officers concerned in the conduct of cases in one court in one locality are engaged in another case in another locality, or that the Public Prosecutor who is charged with the conduct of a particular prosecution when required at the Jorabagan court is engaged in the Bankshall Street court. In this way there are frequent postponements such as never took place when the courts were situated in the same building. From the point of view of the litigant public the location of the courts in different localities with an intervening space of nearly three miles has been a serious grievance. The convenience of the public and the more efficient administration of justice could be the only two grounds upon which the change could be made, and the experience of these years has shown that these two grounds have failed. I would, therefore, urge upon the Council to consider the matter seriously from the point of view of economy, from the point of view of public convenience, and from the point of view of more efficient administration of justice.

I recommend the resolution to the acceptance of the House.

Mr. TARIT BHUSAN ROY: I rise to support the resolution which has been commended to the acceptance of the House by Rai Haridhan Dutt Bahadur. It has been pointed out that the bifurcation of the criminal courts of the city was introduced as an experiment and the several years during which it has worked have shown that it has proved a failure on the ground that it has caused additional expenditure of public money. From my experience as an Honorary Presidency Magistrate at Jorabagan court, I can say that there is a complaint amongst the litigant public of that court that they have to pay more to lawyers and pleaders at Jorabagan than would be the case if all the courts had been situated in one and the same building. The complaint generally appears to be that a senior pleader, if he happens to be in the Bankshall Street court, if asked to attend the Jorabagan court, invariably charges his client double fees on the ground that he is practically going from the Sadar to the mufassal court and then he has also to pay for the motor-car, etc. There is also another ground of complaint and it is this. Before the Honorary Presidency Magistrates—I do not know what is done before Stipendary Magistrates—at the Jorabagan court frequent applications are made for postponement of cases on the ground that senior pleaders are engaged in the Bankshall Street court and that their services are not available.

I do not know how far the ground of economy which has been urged by the previous speakers holds good. Because, if it is a fact that the Bankshall Street court building has got to be demolished and if an entirely new structure has to spring up sufficient to accommodate both the courts, it will certainly mean additional expenditure. I do not think that there is very much force in the argument for economy.

I would support this resolution only on the ground of public convenience. I believe it is a fact that Government introduced this system as an experiment in order to suit the convenience of the litigant public. If, as a matter of fact, the litigant public do not consider a second court at Jorabagan as conducive to their convenience, I see no reason why this system should be perpetuated. There is considerable force in the argument advanced by Babu Jatindra Nath Basu regarding the difference in the area of the city of Calcutta and the municipal area under the jurisdiction of the criminal courts.

With these few words I support the resolution.

Mr. D. J. COHEN: I strongly support the resolution moved by Rai Dr. Haridhan Dutt Bahadur for the acceptance of the House. My firm opinion, gained from my experience as a Magistrate is that the splitting up of the courts has not achieved its object. It does not by any means conduce to efficiency. It is much more expensive both to Government and the litigants and it is inconvenient to everybody, including the lawyers. In these days of cheap tramways, is the distance a matter for serious

consideration? Nobody can deny the right of litigants to choose their lawyers, and, as a consequence, these people are put to endless inconvenience to take lawyers from one court to the other—not to speak of the heavy fees they are required to pay them in these cases. Another serious objection to the existing arrangement is, it renders extremely difficult and almost impossible for the Chief Presidency Magistrate, an overworked officer, to see that all of them are guided by a uniform and consistent policy and that the tone of the administration is maintained.

I will now pass on to another most important question. It is the question of costs of the various courts; this has enormously increased owing to the division of the courts. The costs of the police courts are increasing day by day—mainly for the reason of the division and addition of courts; if there was one central court, work could be done with greater economy, promptitude and efficiency with a less number—say four—of Stipendiary Magistrates having regard to the large volume of work done by the Honorary Presidency Magistrates, because work could then be evenly distributed among them and make the reduction in their number possible without loss of efficiency. The ministerial and menial establishments and other expenditure now necessary for the three courts Northern, Southern and Traffic would then be reduced very much and we shall also effect a saving in not being called upon to pay heavy house rents. It may be asked where the court should be located. My friend, the mover of the resolution, has explained how more ground can be secured alongside the present site of the Bankshall Court and as Government has already agreed as to the necessity of constructing an entirely new building there, there can be no objection to this proposal. Next to our present central courts, we have the court of Small Causes. We have never received any complaint either that that site is unsuitable or that litigants are inconvenienced because of this central court. If this be so, then why should we continue the division of the police courts in spite of the enormous costs and at the sacrifice of efficiency—and endless inconvenience to all parties?

Mr. AJOY CHUNDER DUTT: I accord my support to the resolution moved by Dr. Haridhan Dutt. In his very lucid speech he has clearly explained the reasons why the present system should not continue and why the police courts should be housed in the same building or in a number of buildings in the same compound. Mr. Cohen, who has considerable experience of police courts, has also supported Dr. Dutt. I do not possess very much experience of police courts, but I have, on a few occasions, found that the working of the police courts is not very satisfactory. As for instance, in one case when I went down to the Jorabagan court, I was told that the case would be taken up within half an hour. Then when the Magistrate was ready to take up the case the gentleman who was appearing for the prosecution of the case was not there. He was at Bankshall Street. Next time when I appeared in the

same case, the gentleman appearing on the other side had forgotten to bring the connected papers from the other court and so the case could not be taken up. These things, I believe, are very frequent. I am not speaking from the point of view of lawyers alone but also from the point of view of the litigant public. I think it is quite clear that the most central part of Calcutta between the hours of 11 and 5 o'clock is Dalhousie Square. Everybody is at office during this time and all the offices are very close to Dalhousie Square. A person who has no office, can get a six pice or eight pice tram ticket to take him to Dalhousie Square within a short time. Now it is said that the litigant public would suffer inconvenience if cases which are now disposed of at the Jorabagan court were taken up at the Bankshall Street court. I say "No." Take the case of a man who has got to go to the Jorabagan court from the Cornwallis Street side where he lives. He can of course take a ticket by tram *via* Grey Street and go to Jorabagan, but it will take him less time to go to Dalhousie Square. So from the point of view of the litigant public it is very much better that the two courts be abolished and one takes its place. The present building at the Bankshall Street has got to be demolished and it is to be demolished, and a new one has to be built. I see no reason why such a building should not be built as would accommodate all the criminal courts in Calcutta. This arrangement would certainly be more convenient to the public not to say to the profession to which I belong.

With these words, I beg to support the resolution.

Rai MAHENDRA CHANDRA MITRA Bahadur: I have listened to the lucid speech of Dr. Haridhan Dutt and we have been told that from the point of view of public convenience there ought not to be two police courts in Calcutta, so the mover has argued for the amalgamation of the two courts. From the lawyers' point of view it may be argued that the Bankshall Street court may be convenient to them. From the point of view of the litigant public it is contended that the two courts should not be located in different places. Facts have been brought to the notice of the Council that on the ground of public convenience the two courts should be amalgamated. But what have the public to say is a matter which requires the consideration of the Council. I am not persuaded to accept the proposition or the fact that it would be convenient to the litigant public. If the two courts are situated in different places will it be inconvenient to the litigant public or to the people in distant quarters? It is a question of fact and I ask the Council to consider it. It has been argued that there are irregularities in the arrangement for the disposal of cases. That may be remedied. There are certain sections in the Criminal Procedure Code which justify the presiding officer to take action in the matter. It may be said that when cases are transferred to the Bankshall Street court lawyers feel it difficult to go there, but can it not be obviated by necessary arrangements on behalf of Govern-

ment? It is also stated by the doctor that there has been an increase of fees by the lawyers. I do not understand that, because the legal profession is too much crowded. It has also been argued that expenditure for prosecution of cases on behalf of Government has also increased; the salaries of the staff of the Presidency Magistrates have also been increased. I ask the Council to consider if it is difficult to engage two Public Prosecutors to go on with the work. These arrangements can easily be made in order to put everything in order. It has been argued that on the ground of public convenience the two courts should be amalgamated. May I ask the Council to consider what are the facts which justify the learned mover to move the present resolution in the Council?

We know very well that the Jorabagan court building belongs to Government. It was purchased by them—I am not sure as to the exact figure—at about Rs. 8 or 10 lakhs. The Bankshall Street court-house is also the property of Government and it is a valuable property also. No doubt it is in a very dilapidated condition and the suggestion is put forward that a new and commodious building should be erected on the spot. We should not lose sight of the chief point for the discussion which is whether it is necessary on public grounds and for public interest that there should be two courts or one court in one and the same building. This is a matter in which the public are vitally concerned and I think they have a right to be consulted. The Council should know what is good for the people both in theory as well as in practice, and I cannot be persuaded to believe that two courts being situated in different places cause inconvenience to the litigant public.

Mr. TARIT BHUSAN ROY: May I invite your attention to the fact that there is no quorum.

The DEPUTY-PRESIDENT: There are 25 members present; so there is a quorum.

Rai MAHENDRA CHANDRA MITRA Bahadur: If offences are committed within a certain area is it not just and proper that they should be tried within that place and within its jurisdiction? As regards irregularities owing to the transfer of cases these can be obviated. So, under these circumstances, it behoves the Council to consider very carefully whether the criminal court should be located in one and the same building or in different buildings as at present.

Adjournment.

At this stage, it being 7-13 P.M., there being no quorum, the Council was adjourned to the next day, the 23rd November, 1921, at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, n Wednesday, the 23rd November, 1921, at 3 p m

Present:

The Deputy-President in the Chair, the Hon'ble the four Members f the Executive Council, the Hon'ble the three Ministers, and 103 ominated and elected members

Starred Questions

(to which oral answers were given).

Indian Medical Service officers.

*XX. **Mr. K. C. M. FAROQUI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be leased to state whether it is a fact that the appointments of members n the Indian Medical Service in the Bengal Presidency are made by he Government of India, though their salary is paid by the Government of Bengal?

(*b*) If so, what action, if any, has been taken in the matter?

(*c*) If any communication has been sent to the Government of India n this subject will the Hon'ble the Minister be pleased to lay the ame on the table?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*), (*b*) nd (*c*) The Government of India have recently stated that subject to eneral supervision, direction and control, the local Government can ppoint any Indian Medical Service officer or any other officer holding post borne on the provincial cadre of the Indian Medical Service to ny posts in the Medical Department in Bengal Rule 12, however, f the Devolution Rules provides for the appointments in which Indian Medical Service officers are employed and the terms and conditions of hose appointments, being prescribed by the Secretary of State in Council, and pending the action to be taken under rule 12, it has been decided that the appointments made by the local Government (Ministry of Local Self-Government) should be communicated in each case to he Government of India for its formal approval

The correspondence is demi-official, and pending a formal decision of the whole question, Government is not prepared to publish the correspondence.

ment? It is also stated by the doctor that there has been an increase of fees by the lawyers. I do not understand that, because the legal profession is too much crowded. It has also been argued that expenditure for prosecution of cases on behalf of Government has also increased; the salaries of the staff of the Presidency Magistrates have also been increased. I ask the Council to consider if it is difficult to engage two Public Prosecutors to go on with the work. These arrangements can easily be made in order to put everything in order. It has been argued that on the ground of public convenience the two courts should be amalgamated. May I ask the Council to consider what are the facts which justify the learned mover to move the present resolution in the Council?

We know very well that the Jorabagan court building belongs to Government. It was purchased by them—I am not sure as to the exact figure—at about Rs. 8 or 10 lakhs. The Bankshall Street court-house is also the property of Government and it is a valuable property also. No doubt it is in a very dilapidated condition and the suggestion is put forward that a new and commodious building should be erected on the spot. We should not lose sight of the chief point for the discussion which is whether it is necessary on public grounds and for public interest that there should be two courts or one court in one and the same building. This is a matter in which the public are vitally concerned and I think they have a right to be consulted. The Council should know what is good for the people both in theory as well as in practice, and I cannot be persuaded to believe that two courts being situated in different places cause inconvenience to the litigant public.

Mr. TARIT BHUSAN ROY: May I invite your attention to the fact that there is no quorum

The DEPUTY-PRESIDENT: There are 25 members present: so there is a quorum

Rai MAHENDRA CHANDRA MITRA Bahadur: If offences are committed within a certain area is it not just and proper that they should be tried within that place and within its jurisdiction? As regards irregularities owing to the transfer of cases these can be obviated. So, under these circumstances, it behoves the Council to consider very carefully whether the criminal court should be located in one and the same building or in different buildings as at present.

Adjournment.

At this stage, it being 7-13 P.M., there being no quorum, the Council was adjourned to the next day, the 23rd November, 1921, at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 23rd November, 1921, at 3 P.M.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 103 nominated and elected members.

Starred Questions

(to which oral answers were given).

Indian Medical Service officers.

*XX. **Mr. K. C. M. FAROQUI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the appointments of members in the Indian Medical Service in the Bengal Presidency are made by the Government of India, though their salary is paid by the Government of Bengal?

(*b*) If so, what action, if any, has been taken in the matter?

(*c*) If any communication has been sent to the Government of India on this subject will the Hon'ble the Minister be pleased to lay the same on the table?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*), (*b*) and (*c*) The Government of India have recently stated that, subject to general supervision, direction and control, the local Government can appoint any Indian Medical Service officer or any other officer holding a post borne on the provincial cadre of the Indian Medical Service to any posts in the Medical Department in Bengal. Rule 12, however, of the Devolution Rules provides for the appointments in which Indian Medical Service officers are employed and the terms and conditions of those appointments, being prescribed by the Secretary of State in Council, and pending the action to be taken under rule 12, it has been decided that the appointments made by the local Government (Ministry of Local Self-Government) should be communicated in each case to the Government of India for its formal approval.

The correspondence is demi-official, and pending a formal decision of the whole question, Government is not prepared to publish the correspondence.

Indian Medical Service Officers.

*XXI. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that appointments of members of the Indian Medical Service to posts in Bengal are made by the Government of India, although the Government of Bengal pays the salaries of officers holding such posts?

(*b*) Have the Government taken any action in this connection?

(*c*) If so, will the Hon'ble the Minister be pleased to lay all the papers on the table?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*), (*b*) and (*c*) The member is referred to the reply given in answer to a similar question put by Mr. K. G. M. Faroqui at this meeting.

Damage to roads by motor lorries.

*XXII. **Rai LALIT MOHAN SINGH ROY:** (*a*) Is the Hon'ble the Member in charge of the Police Department aware that damage is being done by the heavily loaded motor lorries to the public roads in the Presidency?

(*b*) Are the Government considering the desirability of introducing a special tax on such lorries to meet repairing charges?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) Government have received specific complaints to this effect, though it is obvious that such heavy traffic places a severe strain upon the average road.

(*b*) The imposition of such a tax under the Indian Motor Vehicles Act, 1914, is not at present contemplated. No such tax can be levied by municipalities or district boards under their respective Acts.

Dahuka Khal in Howrah.

*XXIII. **Babu FANINDRALAL DE:** (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that the Dahuka Khal, in the sadar subdivision of the district of Howrah, has been dammed by the Public Works Department in connection with a certain irrigation scheme?

(*b*) Is the Hon'ble the Member aware that the Dahuka Khal has answered formerly the purpose of a natural drainage in that part of the district and provided the people with drinking water?

(*c*) Is it a fact that the khal has become filthy and insanitary?

(*d*) Is the Hon'ble the Member aware that several visits of inspection have been made to the spot by the responsible officers of the Sanitary Department but nothing has yet been done to remedy the evil?

(*e*) Will the Hon'ble the Member be pleased to state whether the Government are contemplating taking any action in the matter?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) The Dahuka Khal appears to have been closed some 40 years ago in connection with the Barajolla Drainage Works for the purpose of excluding tidal water from the basin.

(*b*) Before closure the khal was a natural drainage channel but was no longer required for the purpose when the new Barajolla Works were brought into operation: the khal probably formed a supply of drinking water except when the water was brackish in the hot weather.

(*c*) The khal appears to be in an insanitary condition, due to refuse being thrown into it.

(*d*) The khal has been inspected by the Sanitary Department officers and their report is being considered.

(*e*) The matter is under inquiry.

Commissions for local investigation in Hooghly.

***XXIV. Babu FANINDRALAL DE:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state the number of survey-passed and otherwise similarly qualified pleaders who are practising in the courts in the district of Hooghly?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that the commissions for local investigations and partitions are issued in that district to pleaders practising outside it, such as at Kusthia and Alipore?

(*c*) If the answer to (*b*) is in the affirmative will the Hon'ble the Member be pleased to state how many of such commissions have been issued to outsiders during the last two years and the reasons therefor?

(*d*) Is the Hon'ble the Member aware that the litigant public are put to trouble, inconvenience and extra cost in having such commissions executed by commissioners from outside the district?

(*e*) Are the Government considering the desirability of taking steps to ensure appointments of local gentlemen as commissioners in such cases instead of outsiders?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) Twenty.

(*b*) Commissions for local investigations are occasionally issued also to pleaders practising outside the district.

(*c*) Thirty-five commissions were issued during the last two years to survey-passed pleaders practising outside the district. The reason is that some of the survey-passed pleaders of the district have extensive

practice and cannot therefore attend regularly and promptly to the execution of commissions. Some of them have expressed their unwillingness and inability to attend to this duty. There has thus been delay in executing commissions, and to avoid delay survey-passed pleaders of other districts have been employed.

(*d*) No.

(*e*) The answer is in the negative.

Administration of civil justice in the Alipur Duars.

***XXV. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that inconvenience is felt by the people of the Alipur Duars in the Jalpaiguri district owing to the fact that the administration of civil justice of that subdivision is being carried on by an executive officer?

(*b*) Are the Government considering the desirability of placing the administration under a munsif?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) A memorial has been received from some of the inhabitants of Alipur Duars.

(*b*) The matter is under consideration.

Indian patients and Presidency General Hospital.

***XXVI. Mr. BIJOY PRASAD SINGH ROY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government are considering the desirability of making any provision for the admission of the Indian patients into the Presidency General Hospital, Calcutta?

(*b*) Will the Hon'ble the Minister be pleased to state whether there is any other Government hospital in the Presidency which is reserved for any particular section of the people?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Indian patients who live in European style can be admitted into the Presidency General Hospital at the discretion of the Superintendent. The accommodation is at present barely sufficient, and if it were desired to increase the number of patients to any large extent, new buildings would be necessary.

(*b*) There is no other Government hospital in the Presidency which is reserved for any particular section of the public except the Ezra Block in the Medical College, which is a Jewish foundation and reserved for the treatment of Jews.

Price of quinine.

***XXVII. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Land

Revenue) aware that the poor in the villages have been put to difficulties owing to the increase in price of Government quinine?

(b) Have the Government considered the possibility of reducing the price?

MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (a) No report to this effect has been received, but a complaint was received from one district board about the price of quinine supplied to hospitals.

(b) The question of the price has been considered. The price of Government quinine is fixed with reference to the market price. The quinine sold through post offices, however, is sold at less than the market price.

Effect of non-co-operation on schools and colleges.

***XXVIII. Rai LALIT MOHAN SINGH ROY Bahadur:** (a) Is the Hon'ble the Minister in charge of the Department of Education aware that a large number of students belonging to the Calcutta University have left their schools and colleges owing to the non-co-operation movement as announced by the Hon'ble the Vice-Chancellor?

(b) Is the Hon'ble the Minister aware that the finances of the University have been crippled and that the authorities have been compelled to reduce the salaries of the professors and lecturers?

(c) Are the Government considering the desirability of giving immediate financial help to save the University from the present financial crisis?

(d) Are the Government considering the desirability of taking such steps as may be deemed expedient to protect the young students from falling into the hands of agitators?

(e) Are the Government considering the desirability of opening some departments to give practical education to those students who are willing to serve as mechanics, draughtsmen, or clerks in factories or in commercial houses?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (a) The Minister has read the Vice-Chancellor's speech and seen the figures that accompanied it. He is aware that there has been such a movement in many parts of the province, but he is not prepared to say that all students who are said to have left educational institutions did so because of the said movement.

(b) The Minister has no official intimation on the subject, but has heard that some reductions of salary have been made or will be made.

(c) The Calcutta University only on the 11th November last applied to the Government for a substantial contribution from the public revenues. The matter is under the consideration of the Government. As no application for giving immediate financial help was made earlier, Government are not in a position to make any pronouncement at the present moment. The only other application for financial help which this Government had was one for Rs. 21 lakhs odd, not for the purpose of saving the University from the present financial crisis but for expanding the activities of the University and committing it to further expenditure.

(d) Government have done in the past and are doing what is possible to this end, but success does not mainly depend on the vigilance of Government. In localities where parents, guardians and the public generally were alive to their responsibilities and co-operated with the Government in this matter very little impression was made. Although Government are prepared to do all they can, they feel it is primarily a matter for the parents, guardians and the public.

(e) The development of vocational, technical and industrial education is receiving attention from Government, the Universities of Calcutta and Dacca and the Dacca Intermediate Board (where some start has already been made), but progress must depend largely upon the resources available.

Unstarred Questions

(answers to which were laid on the table).

Segregation of lepers.

70. Babu JATINDRA NATH BASU: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government are contemplating taking early measures to segregate lepers in Calcutta?

The Hon'ble Sir SURENDRA NATH BANERJEA: The scope of the Lepers Act has been extended by the Amending Act of 1920, but Government is not in a position to enforce the segregation of lepers until further accommodation in the form of a leper colony or settlement is available. A scheme has recently been prepared in consultation with the Mission to Lepers for establishing a settlement of this kind in the Midnapore district. Some private donations towards this scheme have already been received by the Superintendent of the Mission, and steps are being taken for the acquisition of land. The capital outlay on buildings will, however, be heavy, and the scheme in its entirety cannot be carried through until the state of the provincial finances improves.

Bhukailas Wards' Estate.

71. Mr. RAZAUR RAHMAN KHAN: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) whether it is a fact that on the Kazi Estate coming under management jointly with the Bhukailas Wards' Estate in the district of Tippera, the pay of the Manager was raised from Rs. 200 to Rs. 280, and that of his office establishment also was increased;

(*ii*) whether it is a fact that the cost of the management staff at sadar used to be apportioned to the two estates rateably to the rental of each; and

(*iii*) whether it is a fact that on the separation of the Kazi Estate in 1917, the Manager of the Bhukailas Estate and his establishment continued to draw their pay at the increased rates?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble the Member be pleased to state the reasons for not reducing the increased expenditure upon the encumbered estate?

(*c*) Will the Hon'ble the Member be pleased to state the debt of the estate at the close of the year 1327 B.S.?

(*d*) Will the Hon'ble the Member be pleased to state—

(*i*) whether it is not a fact that two new posts, viz., one Assistant Manager on Rs. 110, one Inspector on Rs. 75 a month have recently been created on the joint management of the Bhukailas and three other estates, and that the Manager's pay has been raised from Rs. 280 to Rs. 450 and his house allowance from Rs. 25 to Rs. 40 per mensem simultaneously;

(*ii*) whether the cost of the joint management staff is debited to the four estates in proportion to the rental of each;

(*iii*) the reasons if not so debited,

(*iv*) whether it is not a fact that the proprietors of the Bhukailas estate, previous to the raising of the Manager's pay and the strengthening of his establishment, applied for increased maintenance allowance on the ground of the present economic conditions but that their applications were refused on the plea of the financial stress of the estate;

(*v*) whether it is not a fact that the management staff of the four estates managed jointly in Tippera is larger compared with that of the eight estates in Chittagong;

(*vi*) if so, the reasons for this disparity;

(*vii*) what is the rental of each of the estates managed jointly in each of the districts of Tippera, Chittagong and Noakhali;

(viii) what are the strength and pay (including local allowances) of the Sadar management staff of the estates managed jointly in Chittagong, Tippera and Noakhali; and

(ix) what are the names and places of the different collection offices under the General Managers of the Wards' Estates in Chittagong, Tippera and Noakhali?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Government do not consider the matter of such public importance as to institute an elaborate inquiry. The attention of the Board of Revenue will however be drawn to the case

Union boards.

72. Mr. D. C. CHOSE: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the number of union boards which have been formed in each district and the steps that are being taken to increase their number?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement and a copy of Government Circular No. 2501-05 L.S.-G., dated the 2nd September, 1920, stating Government's policy in regard to the creation of new union boards are laid on the table.

Statement showing the number of union boards established under the Bengal Village Self-Government Act referred to in the reply to unstarred question No. 72.

Name of district	Number of union boards established
Burdwan	165
Birbhum	172
Bankura	228
Midnapore	228
Hooghly	125
Howrah	82
Murshidabad	91
Nadia	140
Khulna	79
Dacca	224
Faridpur	80
Mymensingh	164
Rajshahi	28
Bogra	40
Noakhali	37
Tippera	254
Total ...	2,137

Circular referred to in the reply to unstarred question No. 72

No 2501—2505 L S-G., dated Calcutta, the 2nd September, 1920

From—The HON'BLE Mr L S S O'MALLEY, C.I.E., I.C.S., Secretary to the Government of Bengal, Municipal Department Local Self-Government,

To—All Commissioners of Divisions

In continuation of the correspondence resting with this Department circular No 4692—96 L S-G, dated the 3rd December, 1919, regarding the formation of Union Boards under the Village Self-Government Act, I am directed to say that from proposals that have been received it appears that some District Officers are not aware of the policy of Government and think that it will be sufficient if a few Union Boards are created experimentally

2 I am therefore to explain that the Governor in Council has a forward policy in this matter and desires to have progress in the creation of Union Boards accelerated He is opposed to the creation of isolated unions and considers it necessary that they should be established in compact areas each adequate for the charge of a circle officer The Governor in Council is aware that District Officers may in some cases be nervous of establishing Union Boards unless they are assured that they will be successful but he considers that it should be left to the people to prove their capacity for village self-government The risk of failure in individual cases should be faced in view of the general benefits which may be expected from a wide extension of the system

3 I am to request that a copy of this letter may be sent to District Officer District Boards and Local Boards in your division

District Judge of Dacca.

73. Maulvi YAKUINUDDIN AHMED: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state how many ministerial officers, orderlies and peons, attached to the civil courts at Dacca, were fined during the period of Mr Delevingne, the District Judge of Dacca?

(*b*) What is the pay of these officers, and what was the amount of fine in each case?

(*c*) Will the Hon'ble the Member be pleased to state whether it is a fact that the District Judge of Dacca on the 1st of March had appointed a Muhammadan officer of the civil court of Dacca, temporarily to act as Nazir of the Judge's office, on the retirement of Babu Chandra Prokas Das, the permanent Nazir?

(*d*) Is it a fact that the said Judge appointed Babu Phani Bhusan Ray, a junior officer of the Sylhet civil court, on the 11th March last, as Nazir of the Dacca District Judge's court, and the said Muhammadan officer had to revert to his own post?

(*e*) Will the Hon'ble the Member be pleased to state the respective qualifications, the period and place of service and the office experience of the two officers named above?

(*f*) Did the said District Judge of Dacca invite applications for filling up the said vacancy and, if so, will the Hon'ble the Member be pleased to lay on the table the names of all applicants with their respective qualifications and period of service?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Ministerial officers, 22; peons and orderlies, 16.

(*b*) The information will be found in the attached statement A.

(*c*) Yes. Maulvi Wahed Bakht, officiating Sheristadar, Sub-Judge's court, Dacca, was appointed temporarily to act as Nazir till a suitable officer could be appointed.

(*d*) Yes. Babu Phani Bhusan Ray was selected as the most suitable candidate for the post after the applications of all the candidates and their testimonials had been carefully considered. The claims of clerks in the offices under the District Judge of Dacca were duly considered by him, but from what he had seen of their work and from the remarks made by the previous District Judge, he was of opinion that none of them was competent to control the process-serving staff or likely to discharge the duties of Nazir with efficiency. It was therefore decided to take in an outsider, and the candidate Babu Phani Bhusan Ray, who was very well spoken of, was given a trial for six months. Babu Phani Bhusan Ray having worked very satisfactorily during the period under trial, was confirmed on the 19th September, 1921, when the permanent Nazir retired.

(*e*) Maulvi Wahed Bakht after having passed the Entrance Examination entered service in June, 1898, as assistant comparing clerk in the court of the District Judge of Dacca. Since then he has served in the capacities of Naib Nazir, Peshkar of Small Cause Court, Muharrir of Judge's Office and Sheristadar in Courts of First Munsif, First Subordinate Judge and the First Additional Judge. He acted for Nazir in the District Judge's office for a while during this period.

Babu Phani Bhusan Ray appeared at the First Arts Examination. He entered service in March, 1909, as a clerk in the office of the Superintendent of Police, Sylhet, and was employed there till April, 1914, when he was transferred to the office of the Superintendent of Police, Darrang. During this period he acted twice as Head Clerk of the office. At Darrang he acted for a short period as Accountant and as Confidential Clerk for a while. In December, 1916, he was appointed Sheristadar in the court of the Second Subordinate Judge, Sylhet.

(*f*) Applications were invited by notification published in the daily newspaper, *The Statesman*. The attached statement B will show the names of all applicants with their respective qualifications and periods of service.

Statement A, referred to in the reply to unstarred question No. 73 (b).

	Name of clerk.	Pay of officer.	Amount of the increase.	Grounds.
		Rs.	Rs.	
1	Abdul Halim ...	30	10	For gross and wilful negligence.
2	Ramani Mohan Chatterji	30	10	Ditto.
	Ditto ...	30	10	For gross neglect of duty.
3	Abdul Rohoman Dhali	30	5	For gross and wilful negligence.
4	Mohendra Lal Basak	30	5	Ditto.
5	Proo Nath Mitter	50	20	For gross and wilful neglect of duty.
6	Jogendra Nath Chakravarty.	30	10	Clerk has been warned and censured before. I fine him Rs. 10 for gross neglect of duty.
	Ditto ...	30	5	For gross neglect of duty.
7	Rasik Lal Mukherji	40	5	The clerk was fined in 1916 and transferred in 1917 as a punishment. I have censured him twice recently, once for the disregard of the rules relating to the table of contents and for failing to return a considerable number of records that had been called for from Record Room.
8	Joyotish Chandra Ray	30	10	
9	Sashi Kumar Ray	30	10	For gross neglect of duty.
10	Gobinda Chandra Dhar	30	10	For wilful or continued neglect of duty.
11	Parikshit Chandra Das Gupta.	40	10	For leaving the station without making the arrears. The clerk is guilty of flagrant disobedience of the order.
12.	Anwarah ...	30	10	Ditto.
13	Mahammed Muluk Chand	30	5	For gross negligence.

	Name of clerk	Pay of officer	Amount of fine in each case.	Grounds.
		Rs.	Rs.	
14	Surendra Kumar Dutt	30	10	For gross neglect of duty.
15.	Debendra Chandra Chakravarty	40	10	For gross and wilful neglect of duty
16.	Abdul Hakim ...	30	10	For gross neglect of duty which he has endeavoured to conceal by submitting a false explanation
17.	Kaseruddin Ahmed,	30	10	For gross and wilful neglect of duty and for submitting a false explanation.
18	Surendra Chandra Basak.	30	15	The clerk wilfully disregarded the District Judge's express order For this there can be no excuse It amounts to insubordination.
19	Bisweswar Ray Choudhury.	40	10	For gross neglect of duty.
20	Dharani Nath Basak	30	5	The clerk has been warned once and was recently censured otherwise his record is good and I shall deal leniently with him
21	Rajendra Kumar Das	30	Half a month's pay	The Naib Nazir has made false statements, submitted false explanation and exhibited a spirit of insubordination .
22	Pran Ballabh Basak.	30	Do.	Ditto.

PEONS.

	Name of Peon.		Grade.	Amount of fine.
			Rs	
2	Sabedali Mir	...	15	Rs 3
14	Durga Charan De	...	15	Seven days' pay.
30	Haran Chandra De	...	15	Rs 2
33.	Kabiruddin	...	15	„ 5.

	Name of Peon.	Grade.	Amount of fine
		Rs.	
53.	Akshoy Kumar Raut ...	15	Re 1
64.	Haran Chandra Das ...	15	Rs 3
81.	Rajani Kanta Bepari ...	14	Re 1
123	Romesh Chandra Pal ...	14	Rs 3
124	Muhammad Doodoo ...	14	2
128	Taberuddin ...	13	„ 3

ORDERLIES.

	Name of orderly	Grade	Amount of fine
		Rs	
1	Nazim	10	Rs 5
2	Shishu	10	„ 2.
3	Gopi	10	„ 3
4	Akloo	11	Rs 2, Rs 4, Re 2
5	Ganga	11	Rs 5-8, Re 1, Rs 3 Rs 5-8 Rs 5-8
6	Makmal	10	Rs 4

Statement B referred to in the reply to unstarred question No. 73 (f).

No.	Names of applicants.	Qualifications and present appointment, if any	Date of first appointment and period of service
1	Wahed Bakht ...	Passed the Entrance Examination. Sheristadar, First Sub-Judge's Court, Dacca, officiated as Nazir before	25th June, 1898, nearly 23 years
2	Phani Bhusan Ray ...	Passed the Entrance Examination and appeared at F A Examination Sheristadar, Second Sub-Judge's Court, Sylhet	4th March, 1909 nearly 12 years.

No	Name of applicants.	Qualifications and present appointment, if any.	Date of first appointment and period of service.
3	Krishna Chandra Boral ...	Studied up to M.A.	
4	Birendra Chandra Roy ...	Read up to B.A. Served as an officiating clerk, in the Commissioner's office, Dacca.	
5	Kshetra Mohan Ghosh ...	A.B.L. Pleader of the Munshiganj Bar	
6	Sisir Kumar Mukharjee ...	Read up to I.A. Serving as an Inspector under Messrs. Bird & Co., Chandpur	
7	Bimoda Prasanna Sen Gupta	Read up to I.A. Now a Naib Nazir, in the District Judge's office, Mymensingh.	1906, 14 years
8	Nawab Ali ..	Read up to F.A. Now Sheristadar, Second Sub-Judge's Court, Dacca.	25th September 1896, about 2 years
9	Shyam Bandhu Basak ...	B.L. Pleader of the local Bar	
10	Akhil Chandra Ganguli ...	Civil Suit Clerk, Dacca Collectorate.	
11	Basanta Kumar Ghosh* ...	Sheristadar, Fourth Sub-Judge's Court, Dacca	9th March, 1889 32 years.
12	Anil Kumar Ghosh ...	Appeared in the I.A. Examination. At present drawing Rs. 75 as an Auditor of the Co-operative Societies, Dacca.	
13	Jamini Mohan Seal ...	Sheristadar, Fifth Munsif's Court, Dacca.	22nd December 1890, about 30 years
14	Akshoy Kumar Roy Chowdhuri.	Appeared at the Final B.L. Examination this year. Sheristadar, Sixth Sub-Judge's Court, Dacca.	1st June, 1917 about 4 years.
15	Rajani Chandra Bose ...	Sheristadar, Fifth Sub-Judge's Court, Dacca.	4th May, 1892 about 29 years.

* Retired from service from 1st July 1921.

No.	Name of applicants.	Qualifications and present appointment, if any.	Date of first appointment and period of service.
16	Lalit Mohan Banerjee ...	Accountant, Judge's office, Dacca	13th August, 1896, about 24 years.
17	Rajendra Nath Chatterjee	Sheristadar, Third Sub-Judge's Court, Dacca.	8th July, 1889, about 32 years
18	Phani Bhusan Roy ...	An undergraduate	
19	Mohendra Chandra Chakrabarty	Accountant, Judge's office, Ahpore.	

Nurses in the Medical College Hospital.

74. Mr. BIJOY PROSAD SINGH ROY: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that all the nurses in the Calcutta Medical College Hospital are either Europeans or Anglo-Indians?

(*b*) If so, are the Government considering the desirability of appointing Indians as nurses in the Medical College Hospital?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The nurses of the Medical College Hospitals who are supplied by the Calcutta Hospital Nurses' Institution and are paid from their Funds are Europeans or Anglo-Indians with the exception of 21 employed in the Eden Hospital who are Indians.

(*b*) There is no proposal to appoint Indian nurses in these Hospitals at present but when the new block of quarters for nurses is ready and working, an extension of the employment of Indian nurses is contemplated.

Assessment of chaukidari-tax in village unions.

75. Maulvi RAFI UDDIN AHMED: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that on account of the introduction of the Village Self-Government Act in Bengal, chaukidari taxes have been increased and that it is causing dissatisfaction among the people?

(*b*) If so, what steps, if any, are the Government proposing to take in this matter?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The asse ments made by union boards on account of chaukidari establishme remain much the same as they were under the old Chaukidari A Union boards are empowered to impose additional taxation und clause (*b*) of section 37 of the Village Self-Government Act. The powers are vested in the union boards themselves and Government ha no intention of interfering with their discretion in this matter. G ernment are not aware of any general dissatisfaction owing to taxati being imposed under the Village Self-Government Act.

(*b*) As already stated, Government do not propose to interfere wi the discretion of the boards.

Strikes of working classes.

76. Mr. BIJOY PROSAD SINGH ROY: (*a*) Will the Hon'ble t Member in charge of the Department of Commerce be pleased to lay the table a statement showing the number of strikes of the worki classes in Bengal during the last ten months?

(*b*) Have the Government considered the desirability of finding a remedy to put a stop to these strikes in future?

(*c*) If the answer to (*b*) is in the affirmative, what steps are t Government taking in this direction?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'l Mr. Kerr): (*a*) A statement is laid on the table

(*b*) Yes

(*c*) The member is referred to (*i*) Government Resoluti No 2165 Com , dated the 18th June, 1921, publishing the Report of t Industrial Unrest Committee, and (*ii*) Resolution No 3268 Com., dat the 29th August, 1921

Statement referred to in the reply to clause (a) of unstarred question No. 76 (a).

Number of strikes in progress in Bengal from 1st January, 1921, to 31st October, 1921

	Carried forward from December, 1920.	New	Total
January	11	12	23
February	...	14	14
March	...	8	8

	Carried forward from December, 1920.	New.	Total.
April	...	11	11
May	...	13	13
June	...	7	7
July	...	14	14
August	...	5	5
September	...	8	8
October	...	5	5
Total ...	11	97	108

Price of Coke.

77. Babu SURENDRA NATH MALLIK: (*a*) Is the Hon'ble the Member in charge of the Department of Commerce aware that the price of coke for domestic consumption in and around Calcutta has gone up excessively high, and that the present high price has been causing great hardship to the public particularly to the poorer section of it?

(*b*) Has the attention of the Government been drawn to the fact that owing to the excessive high price of coke the poorer people in Calcutta, particularly the labouring classes, have been obliged to avoid cooking their food as much as possible, and that they are gradually resorting to those kinds of food which require no cooking?

(*c*) Is the Hon'ble the Member also aware that owing to high prices of coke the habit of cooking their food twice a day is fast falling into disuse amongst the families of the poorer *bhadralok* class?

(*d*) Are the Government aware that the supply of wagons for carrying coke for domestic consumption in Calcutta is most indifferently given by the Coal Transportation Officer?

(*e*) Will the Hon'ble the Member be pleased to state how many wagons on an average per month were supplied for this purpose last year, and how many were supplied this year in the months of January to May, respectively?

(*f*) Is it a fact that according to the Coal Transportation Officer's rules, the Town could get wagons for soft coke for domestic use only on Sundays, but that on most Sundays it failed to get them at all?

(g) Has the attention of the Hon'ble the Member been drawn the resolution (No. 42, dated the 27th April last), of the Corporati of Calcutta on this subject requesting the Government to come to t relief of the sufferers by the adoption of immediate measures to ensu an adequate, regular and uninterrupted supply of wagons for the traffi of domestic coal for the city similar to Royal Indian Marine and Loc standard?

(h) If so, what steps have since been taken by the Government t give effect to the said resolution?

The Hon'ble Mr. KERR: (a) The price of coke in Calcutta shows tendency to fall and is considerably below the level reached in Apr and May, 1921. It is still, however, considerably above the pric which prevailed three years ago before the coal shortage begar Government have no doubt that the high price presses severely on th poorer sections of the community.

(b) Government are aware that statements to this effect were mad in the course of a debate in the Calcutta Corporation meeting on th 27th April, 1921.

(c) The Government have no information on this point.

(d) A complaint of this nature was brought to the notice of th Government.

(e) A statement giving the particulars required is placed on th table

(f) All authorised suppliers of soft coke for domestic use are place in X (c) class and supplies may be had on any day that this class c special supply comes under the daily allotment, provided the collier submits the necessary indent. As this class of special supply, *i.e.* 'C' class, was not frequently met, instructions were issued by th Coal Transportation Officer to the East Indian Railway to meet a authorized indents for soft coke in full on Sundays after indents fc Loco coal had been met in full, thereby raising the position of thes supplies from the ordinary 'C' class and placing them next to Loc coal. This was done to ensure better supplies and, since these order were issued, indents have been met accordingly every Sunday and, i collieries indent regularly and correctly on Sundays, their supplie will be met.

(g) Yes.

(h) The matter was brought to the notice of the Government o India and the Coal Transportation Officer has done all in his powe to increase the supply.

Statement showing the supplies of soft coke to Calcutta referred to in the reply to unstarred question No. 77 (e).

(A)—DURING 1920.

				Wagons.
January, 1920—				
East Indian Railway	...	...	...	160
Bengal-Nagpur Railway	...	...	...	Nil
		Total	...	160
February, 1920—				
East Indian Railway	...	...	...	297
Bengal Nagpur Railway	...	...	...	3
		Total	...	300
March 1920—				
East Indian Railway	...	...	...	237
Bengal-Nagpur Railway	...	...	...	19
		Total	...	256
April, 1920—				
East Indian Railway	...	..	...	131
Bengal-Nagpur Railway	...	...	...	2
		Total	...	133
May 1920—				
East Indian Railway	...	...	...	612
Bengal-Nagpur Railway	...	...	...	5
		Total	...	617
June, 1920—				
East Indian Railway	...	...	...	487
Bengal-Nagpur Railway	...	...	...	Nil
		Total	...	487
July, 1920—				
East Indian Railway	...	...	...	562
Bengal Nagpur Railway	...	...	...	Nil
		Total	...	562
August, 1920—				
East Indian Railway	...	...	...	453
Bengal-Nagpur Railway	...	...	...	2
		Total	...	455

				Wagons.
September, 1920—				
East Indian Railway	...	...	...	143
Bengal-Nagpur Railway	...	...	...	9
		Total	...	152
October, 1920—				
East Indian Railway	...	...	...	452
Bengal Nagpur Railway	...	...	...	11
		Total	...	463
November, 1920—				
East Indian Railway	...	...	...	261
Bengal Nagpur Railway	...	...	...	17
		Total	..	278
December, 1920—				
East Indian Railway	...	...	..	219
Bengal-Nagpur Railway	...	...	...	24
		Total	...	243

(B)—DURING 1921.

January, 1921—				
East Indian Railway	...	...	...	270
Bengal-Nagpur Railway	...	...	...	20
		Total	...	290
February, 1921—				
East Indian Railway	...	...	...	181
Bengal-Nagpur Railway	...	...	...	1
		Total	...	182
March, 1921—				
East Indian Railway	...	...	...	300
Bengal-Nagpur Railway	..	...	...	13
		Total	...	313
April, 1921—				
East Indian Railway	...	...	...	310
Bengal-Nagpur Railway	...	...	...	4
		Total	...	314

				Wagons.
May, 1921—				
East Indian Railway	...	...	...	477
Bengal-Nagpur Railway	...	...	...	6
		Total	...	483

Effect of non-co-operation on schools and colleges.

78. Rai RADHA CHARAN PAL Bahadur: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Education been drawn to the statement made by the Hon'ble the Vice-Chancellor of the Calcutta University regarding the effects of the non-co-operation movement on the school and college students of Bengal?

(*b*) Are the Government proposing to render any financial assistance to the Calcutta University in its present crisis?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) Reference is invited to the reply given to a starred question asked by Rai Lalit Mohan Singh Roy Bahadur at this session.

Indigenous modes of treatment.

79. Babu HEM CHANDRA BHATTACHARJI: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to say whether the Government are considering the desirability of appointing a standing mixed committee of allopathic and indigenous practitioners to devise means for encouraging indigenous modes of treatment?

The Hon'ble Sir SURENDRA NATH BANERJEA: The reply is in the negative.

Additional Presidency Magistrateship.

80. Rai Dr. HARIDHAN DUTT Bahadur: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether, in view of the reduction in work caused by the recent withdrawal of the Munitions Board cases from the court of the Chief Presidency Magistrate of Calcutta, it is contemplated to abolish the additional Presidency Magistrateship?

The Hon'ble Sir ABD-UR-RAHIM: It is not contemplated to reduce the period for which the appointment has already been sanctioned.

Baraset-Basirhat Light Railway.

81, Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'bl the Minister in charge of the Department of Public Works be please to state whether they have received a copy of the representation mad by a large number of the inhabitants of the Basirhat subdivision to th President, Railway Board, setting forth the numerous public grievance with regard to the Baraset-Basirhat Light Railway?

(*b*) If so, are the Government considering the desirability o instituting an inquiry to ascertain whether the grievances and mis management complained of are true?

(*c*) Are the Government considering the desirability of seeing tha the present lease is not renewed unless and until the grievances com plained of, and found true are remedied?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (th Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur) (*a*) Yes. The original petition has been forwarded to this Governmen by the Railway Board for disposal

(*b*) The Senior Government Inspector of Railways, Circle No. 2 Calcutta, has been asked to make the necessary inquiry and submi his report to Government.

(*c*) This question does not arise as no lease has been granted b Government to the Railway Company The Railway is subsidised b the District Board of the 24-Parganas and its construction was autho rised by Government by an order, dated 15th May, 1903, unde section 5 of the Bengal Tramways Act, 1883.

Second Presidency Magistrate.

82. Babu SURENDRA NATH MALLIK: (*a*) Will the Hon'bl the Member in charge of the Judicial Department be pleased to lay o the table a copy of the notification No. 43 J., dated the 4th January 1918?

(*b*) If that notification is not in force now, will the Hon'ble th Member be pleased to lay on the table a copy of the notification b which it has been superseded?

(*c*) Will the Hon'ble the Member be pleased to state—

(*i*) whether it is a fact that under the rules framed by the Chie Presidency Magistrate under section 21 of the Crimina Procedure Code, 1898, with the sanction of the Local Gov ernment, the Second Presidency Magistrate should ordinaril sit in the Northern Division police court at Jorabagan;

(*ii*) whether it is a fact that, since the repartition of the Calcutta police courts, in April, 1916, Mr. E. H. Keays, Second Presidency Magistrate, had been sitting in the Northern Division police court at Jorabagan till he went away on leave in April, 1920;

(*iii*) whether it is a fact that the pay of the Second Presidency Magistrate was considered inadequate by the Local Government and has recently been raised from Rs. 1,250 to Rs. 1,500; and

(*iv*) whether it is a fact that since Mr. Keays has returned from leave in October, 1921, Mr. Swinhoe has not allowed Mr. Keays to resume his duties at Jorabagan?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble the Member be pleased to state why rule 2 as framed by him under section 21 of the Criminal Procedure Code with the sanction of the Local Government has not been observed?

(*e*) Did the Chief Presidency Magistrate take action in this matter with the sanction of the Government? If so, why? If not, why not?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) A copy of the notification is laid on the table.

(*b*) The notification is still in force

(*c*) (*i*) and (*ii*) Yes.

(*iii*) Yes.

(*iv*) Mr. Swinhoe as Chief Presidency Magistrate asked Mr. Keays to sit at the Bankshall Street Court.

(*d*) Mr. Keays was asked to sit at Bankshall Street in the interest of public service as it was not thought desirable to disturb the arrangements at Jorabagan.

(*e*) No. The rules do not debar the exercise of discretion by the Chief Presidency Magistrate in cases when such departure for a time is clearly in the interest of public service.

Notification referred to in the reply to clause (a) of the unstarred question No. 82 (a).

NOTIFICATION.

No 43J.—The 4th January, 1918.—The following rules which have been made by the Chief Presidency Magistrate under sub-section (1) of section 21 of the Code of Criminal Procedure, 1898 (Act V of 1898), for the Courts of the Presidency Magistrates, Calcutta, in supersession of rules 2 and 3 of the rules published under

Notification No. 6028P., dated the 17th April, 1916, have been sanctioned by the Governor in Council and are published for general information:—

Rules.

2. The Chief Presidency Magistrate shall ordinarily sit at the Southern Police Court and the Second Presidency Magistrate at the Northern Police Court. The other Presidency Magistrates shall sit where the Chief Presidency Magistrate may direct them to sit. In case of emergency any Presidency Magistrate may hold his Court at such place and hour as he may consider best suited to meet the requirements of the public service.

3. The Second Presidency Magistrate will divide the work at the Northern Police Court between himself and the other Magistrates, Stipendiary, or Honorary, assigned to that Court. The Chief Presidency Magistrate will distribute the work at the Southern Police Court. The Honorary Magistrates shall take cognizance of such complaints and cases as may be made over to them by these Magistrates.

Provided that, during the absence of any Magistrate, or in the event of any pressure of work occurring in any Court, or for any other special reason, the Chief Presidency Magistrate may arrange for the distribution of the work among other Presidency Magistrates.

J. H. KERR,

Chief Secretary to the Government of Bengal.

Liquor shops in Raniganj.

83. Mr. KRISHNA CHANDRA RAY CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether it is a fact that there are seven licensed country liquor shops within the small municipal area of Raniganj in addition to six more similar shops within a radius of five miles of Raniganj, a tract which is mostly inhabited by coal miners?

(*b*) What is the total number of licenses for sale of country-spirit and *pachwai* in the subdivision of Asansol covering the coal mining area of the district of Burdwan, and what was the total value of the sale of spirit and *pachwai* in the above subdivision during the year ending 31st March, 1921, and the quarter ending 30th June, 1921, also stating the population of the subdivision?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) There are one licensed country-spirit, and three licensed *pachwai* shops in the municipal area of Raniganj and two country-spirit and seven *pachwai* shops within a radius of five miles of Raniganj.

(*b*) The total number of licenses for sale of country-spirit and *pachwai* and the total value of the country-spirit and *pachwai* sold in the subdivision of Asansol are as follows:—

1920-21—20 country-spirit shops, and 120 *pachwai* shops.

Value—Country-spirit, Rs. 3,64,903; *pachwai*, Rs. 12,37,611

1st Quarter—

1921-22—26 country-spirit shops and 121 *pachwai* shops

Value—Country-spirit, Rs. 81,984; *pachwai*, Rs. 3,60,216

The population of the Asansol subdivision is 403,964.

Inconvenience to passengers on the Murshidabad branch (Eastern Bengal Railway).

84. Maulvi EKRAMUL HUQ: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Public Works been drawn to the inconvenience of railway passengers on the Murshidabad branch of the Eastern Bengal Railway owing to the stoppage of the running of the local trains during the war?

(*b*) If so, are the Government considering the desirability of moving the railway authorities to provide a fast train on the Murshidabad line at the earliest opportunity?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) No.

(*b*) The attention of the railway authorities will be invited to this matter.

Secretariat establishment.

85. Dr. A. SUHRAWARDY: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state—

(*i*) the number of assistants and head assistants in the different departments of the Civil Secretariat;

(*ii*) the number of Deputy Secretaries, Under-Secretaries and Assistant Secretaries in each Department; and

(*iii*) the pay and allowances attached to each of the posts?

(*b*) Where there is a Deputy Secretary, or an officer doing the work of Deputy Secretary, as well as an Under-Secretary or Assistant Secretary, is the work of the Department divided between the two?

(*c*) If so, the work of how many assistants approximately is each required to pass and supervise?

(*d*) Is it a fact that in the Department of Local Self-Government and Education and the Revenue Department the Assistant Secretaries have merely taken the place of the old Under-Secretaries?

(*e*) Is it a fact that they do not receive similar remuneration?

(*f*) If so, what is the reason for this differentiation?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) (*i*) The member is referred to the figures in paragraph 21 of the Ministerial Salaries Committee's Report, Volume I.

(*ii*) and (*iii*) A statement giving the information is laid on the table.

(*b*) Yes.

(*c*) As the distribution of work among assistants does not correspond with that among officers, no answer can be given.

(*d*) Yes.

(*e*) Yes.

(*f*) The remuneration of the old Under-Secretaries was fixed with reference to the pay drawn by other members of the service to which they belonged, that is, the Indian Civil Service. Assistant Secretaries are appointed from the Bengal Civil Service or from services of similar status, and they receive a duty allowance in addition to the pay which they would draw in a regular line. The desire to effect economy was one reason for the change being made.

Statement referred to in the reply to (a) (ii) and (iii) of unstarred question No. 85 (a) (ii) and (iii).

Department or Office.	Deputy Secretary	Special Officer doing the work of Deputy Secretary.	Under-Secretary	Assistant Secretary
Chief Secretary's office ...	1	...	1	1
Local Self-Government and Education.	1	...	...	1
Finance, Commerce and Marine.	...	1	1	...
Revenue	...	...	...	1
Agriculture and Industries	...	...	...	1

PAY AND ALLOWANCES ATTACHED TO THE POSTS.

Chief Secretary's Office.

Deputy Secretary

				Rs
Pay	...	...	...	1,500
Overseas allowance	...	...	...	250
Duty allowance	...	...	...	200
		Total	...	1,950

Under-Secretary.

	Rs.
Pay	750
Overseas allowance	200
Duty allowance	200 (a)
Total ...	1,150

Assistant Secretary

	Rs
Pay	550
Duty allowance	100 (a)
Total ...	650

Local Self-Government and Education Departments

Deputy Secretary.

	Rs.
Pay	2,500—100—3,000 (b)

Assistant Secretary.

	Rs
Pay	500 (c)

Finance, Commerce and Marine Departments

Special Officer

	Rs
Pay	1,350
Overseas allowance	200
Deputation allowance	310 (d)
Charge allowance	125 (e)
Total ...	1,985

Under-Secretary.

	Rs
Pay	650
Overseas allowance	150
Duty allowance	200
Total ...	1,000

(a) *Plus* Presidency house allowance

(b) The Director of Public Instruction is the *ex-officio* Deputy Secretary in the Education Department.

(c) *Plus* duty allowance of Rs. 100 *plus* Presidency house allowance

(d) At Rs. 10 a day.

(e) For working as Deputy Secretary, Marine Department

Revenue Department.

Assistant Secretary.

				Rs.
Pay	...	...	...	600 (a)

Agriculture and Industries Department.

Assistant Secretary

				Rs.
Pay	...	...	...	600 (b)

Pay and allowances of assistants and head assistants are shown in paragraph 21 of the Ministerial Salaries Committee's Report, Volume I.

Secretariat establishment.

86. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state—

(*i*) the number of assistants and head assistants in the different Departments of the Civil Secretariat; and

(*ii*) also the number of Deputy Secretaries, Under-Secretaries and Assistant Secretaries in each Department, and the pay and allowances attached to each of these posts?

(*b*) Will the Hon'ble the Member be pleased to state how the work is divided between the two officers where there is a Deputy Secretary or an Officer doing the work of a Deputy Secretary, as well as an Under-Secretary or Assistant Secretary and the work of how many Assistants approximately each is required to pass and supervise?

(*c*) Is it a fact that in the Departments of Local Self-Government, Education and Revenue the Assistant Secretaries have taken the place of the old Under-Secretaries?

(*d*) Is it a fact that they do not receive the same remuneration?

(*e*) Is it a fact that one of the Under-Secretaryships which was treated as a "listed post," has been abolished?

(*f*) Are the Government considering the desirability of throwing open a Deputy Secretaryship or Secretaryship to the Bengal Civil Service?

The Hon'ble Sir HENRY WHEELER: (*a*), (*b*), (*c*) and (*d*) The member is referred to the reply given to a similar question put at this meeting by Dr. A. Suhrawardy.

(*e*) Yes.

(*f*) No.

(a) *Plus* Rs. 100 duty allowance *plus* Presidency house allowance *plus* Rs. 100 as restitutional allowance

(b) *Plus* Rs. 100 duty allowance *plus* Presidency house allowance.

Barisal-Patuakhali steamer service and other services.

87. **Maulvi FAZLAL KARIM:** (*a*) Will the Hon'ble the Member in charge of the Marine Department be pleased to state whether he is aware of the fact that second class tickets are not issued from Patuakhali to Barisal by the mail steamers, although there is second class accommodation on board such steamers?

(*b*) If so, what is the reason for this procedure?

(*c*) Will the Hon'ble the Member be pleased to state whether it is in contemplation to address the Rivers Steam Navigation Company on this point?

(*d*) Is the Hon'ble the Member aware of the fact that there is no second class gentlemen's bathroom on the Barisal-Khulna Express and Narainganj-Khulna mail steamers?

(*e*) Is it a fact that on the Goalundo-Narainganj and Goalundo-Chandpur steamers such bathrooms are provided? If so, what is the reason for this differentiation?

(*f*) Is it a fact that there are electric fans in the second class cabins of steamers running between Goalundo and Chandpur and that there are no such fans in the second class cabins of steamers running between Khulna and Barisal? If so, what is the reason for the differentiation?

(*g*) Is it a fact that cushions are provided on the seats in the second class cabin of steamers running between Goalundo and Chandpur and Goalundo and Narainganj and that no such cushions are provided in the second class cabin of steamers running between Khulna and Barisal? If so, what is the reason for this differentiation?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. Kerr): (*a*), (*b*) and (*c*) It is a fact that second class tickets were not being issued on the mail steamers from Patuakhali to Barisal although there was second class accommodation on board such steamers. The Joint Steamer Companies who were addressed in the matter state that the reason was that their Sub-Agent at Patuakhali had no supply of second class tickets and that the matter had not previously been brought to their notice. The Sub-Agent at Patuakhali has now been instructed to indent for second class tickets.

(*d*) Only one of the steamers on the Barisal Express service has a separate gentlemen's bathroom on the lower deck for second class passengers.

(*e*) On the Goalundo-Narainganj and Goalundo-Chandpur steamers second class bathrooms are provided for both ladies and gentlemen. This is possible because the steamers on the Padma are larger than those on the Barisal section. On the Barisal steamers the demand for second class accommodation is very small.

(*f*) Only one of the six steamers on the Padma has electric fans in the second class cabins.

(*g*) Mattresses are provided in second class cabins of the Padma steamers but not on the Barisal steamers. This is because the number of passengers using the second class on the latter service is very small and there has been no request for cushions.

European police officers.

88. Maulvi RAFI UDDIN AHMED: Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing the total number of European police officers of the Indian police in Bengal and also note their names with the University examinations that each of them has passed?

The Hon'ble Sir HENRY WHEELER: The total number of European police officers together with their names will be found in the Civil List. The following officers hold University degrees:—

Lieutenant-Colonel P. A. R. Pritchard—B.A.

Mr. C. E. S. Fanweather—M.A.

Mr. G. R. MacDowell is a Barrister-at-Law. Information regarding other university examinations, *e.g.*, Matriculation, is not readily available.

Resolutions

(under the rules for the discussion of matters of general public interest).

The debate on the resolution of Rai Dr. Haridhan Dutt Bahadur regarding police courts was resumed.

Location of Presidency Magistrates' Courts.

Rai MAHENDRA CHANDRA MITRA Bahadur: Yesterday I brought to the notice of the Council the various points which the resolution suggests. It appears to me that the resolution is divisible into three parts. Firstly, with regard to the alleged inconvenience of the litigant public; secondly, with regard to the irregularity in the conduct of business which the mover traces to the location of the courts in several places, and, thirdly, with regard to the high charges which are incurred on account of the courts being scattered over different localities.

With regard to the first, I beg to submit that, taking a commonsense view of the question, it appears to me that the two courts ought to be located in different places; it would be convenient to the litigant parties, to the witnesses and to those who attend the courts on business. Offences ought to be tried in the area in which they are committed. That,

Sir, I take to be the commonsense view of the question, and I advised the Hon'ble Sir Abd-ur-Rahim to accept it when he consulted me, and that was also the advice of other members of the Standing Committee. Now I say that I have taken a commonsense view of the case, but if the convenience of the public is looked to, I am sure that that view may not be considered as a wrong one. But an inquiry or investigation is necessary, and it should be made by responsible men. The learned mover ought not to object to it. He has suggested the amalgamation of the two courts on the ground of convenience. That is a question of fact and I am not told whether any investigation has already been made.

Then with regard to the second question, I submit that these irregularities can be obviated, but it is not a question which affects the point at issue. The primary issue is whether the two courts should be located in one place; it ought not to be clouded by extraneous matters: whether the Public Prosecutor gets larger fees than he ought, whether his assistants and staff get large sums of money, whether the pleaders charge very high fees, and whether the magistrate likes to postpone cases on account of the absence of senior pleaders—these irregularities which have been brought to the notice of the Council can be easily settled.

Thirdly, with regard to the extra charges and the expenditure that is incurred on account of the transfer of cases from one court to another. My answer is, that we must look to efficiency. I have always urged the practice of economy as far as possible, but with an eye on efficiency; that is a vital point for consideration.

It has been said by one of the speakers that the location of the Small Cause court in the centre of the town is a proof in favour of the resolution. That is true, but we are dealing with criminal offences, and my submission is that these offences may be conveniently tried in the place where they are committed. I submit that a proper inquiry should be made into these matters. There is also no proper scheme before the Council.

Dealing with the question of the disposal of these court buildings, I have already brought to the notice of the House that the Bankshall Street court building is a Government property. I have seen the house. It is a condemned one——

Here the member having reached his time-limit resumed his seat.

Babu FANINDRALAL DE: I heartily support the resolution moved by my hon'ble friend. The history of the partition of the police courts, its modification and the debates in the Council on this point are well known to every member and need no repetition.

I have had some opportunity of studying the situation first-hand and I can say from my experience that the increased fees of lawyers and delay in despatch of business are some of the defects in the present arrangement. Another very important point in this connection is the ineffective supervision of the courts by the Chief Presidency Magistrate. But the most convincing argument for the amalgamation of the two courts is

the financial consideration. The partition has caused considerable increase in the recurring and non-recurring charges. There was a time when the Government could spend a few lakhs of rupees in an experiment to have a police court at Kyd Street and then give it up saying that "it had not been an entire success. The case is different now. The financial crisis has made it imperative to cut down all unnecessary expenditure. If the suggestion in the resolution be accepted and given effect to, there will be considerable saving without impairing the efficiency of the department. It is high time that the matter should be taken in hand as the Government proposes to erect a building for the Bankshall Street police court. There is enough space in the plot in question and with suitable plans all the different courts can be housed there properly together with the newly established court for traffic cases.

Babu SURENDRA NATH MALLIK: I beg to support the motion of Dr. Hridhan Dutt. After all, I am glad it is not a man of my caste, that is, a lawyer, who has brought it forward. He is a doctor and an Honorary Magistrate. If it had been brought up by a man of my caste, i.e., a lawyer, I am sure it would have been treated with the greatest possible suspicion from the start by those in whose hands the decision lies. I am not sure whether the Hon'ble Member in charge of the Judicial Department holds the same view of the lawyer.

With regard to this resolution, I find there are three parts in it; the first is, that the present arrangements of having the courts of the Presidency Magistrates in the same building, for the trial of "serious" as well as "petty" cases, but at different places in Calcutta be abolished.

Anybody who has ever had anything to do with any of these courts, will be able to say what a pandemonium it is for the first two hours when these petty cases are being tried. It is absolutely impossible to go on with any business there—large crowds, almost suffocating, and tremendous noise all the while. If any gentleman doubts this, let him run to any of these courts and see for himself if any business can be done. I have seen the Magistrate shouting, the police shouting, peons shouting, people shouting, everybody shouting. (A voice: "Pleaders shouting?") Yes, pleaders do shout, no doubt, but they have a right to shout, and those who are jealous of them, they also shout. Therefore, there is no question that these petty cases ought to be tried in a different house altogether.

With regard to a more serious matter, viz., the two courts being located together—the Bankshall Street court and the other one in the northern part of the town—I respectfully submit that a very strong case has been made out with facts and figures by my learned friend. I support it, first because it will be cheaper, it will involve less expenditure. My friend, the doctor, has given the figures, and I do like to go over them again. There has been a very great rise in the expenditure on the ministerial and menial establishment. We find, in 1913, it was Rs. 30,000, and it went up to Rs. 41,000. Last year, it was Rs. 39,000, and it went

up to Rs. 57,000. The Public Prosecutor's expenditure from Rs. 9,000 went up to Rs. 17,000, and contingencies rose from Rs. 7,000 to Rs. 16,000. Do you know what these contingencies are for? They are, most of them, for policemen moving about from court to court. Over and above that, there is the motor-car allowance for my friend Rai Tarak Nath Sadhu Bahadur. I do not grudge him this. These are roughly the expenses. I am not one of those who think, unless you always quote figures to several places of decimal, your arguments are not correct But the simple fact remains that two establishments are bound to be more costly than one. On that ground, first of all, I support this motion.

The next ground on which it ought to be supported is the matter of convenience to the public. It may be asked why I am anxious about the public. My friends of the service for which we all have a very high regard may look upon me as a crocodile. I know that if you keep these courts apart it is better for the lawyers than anybody else. The people have got to pay more. I can say from personal experience, that the lawyers there do charge, and particularly the senior men, charge higher fees as these courts are situated in different localities, for the simple reason, that they make up for the loss of time which is entailed in going from one court to another. Most of these men spend a large portion of their time on the Strand Road with the result that when the pleader arrives at the court his case is almost half-finished. It means loss to the people, who have got to engage pleaders, who are a very troublesome body in their difficulties This is a ground on which I certainly support this motion.

The third reason is, there is tremendous loss of time in doing business For instance, if records are wanted from one court for another, they cannot be got the same day; you have to send a man down, often in a motor-car, he asks the court for permission to take the records; the same papers are perhaps exhibited in another court, then he has to go back. There is a serious difficulty when the papers are exhibited in both the courts. Then another difficulty is that when cases are transferred by the Second Presidency Magistrate to Honorary Magistrates, they cannot be sent to the latter at once. They must go through Mr. Swinhoe who will have to put his initials before the cases go to the particular Honorary Magistrates This means that a whole day is lost, and it means extra money to the pleaders. I have earned much money myself in this way. There is an idea that my friend has been put up by pleaders. This is absolutely wrong. It is to the interest of the litigants that these two courts should be in one and the same building. No case has been made out except the convenience of the Government officers who want to bring justice nearer home. In that case why do you not break up the High Court, or the Sessions Court at Alipore, that is a ridiculous idea. Then there is the argument that in London there are four courts. Well, if you take the suburbs of Calcutta into account, you will find that already there are several courts here—one at Alipore, one at Sealdah, excluding central courts.

Another reason why I should support this resolution is this: formerly there was one police court, as we all know, at Lall Bazar. The reason why this was removed is not very clear, but it was said its very close proximity to the police compound and the Commissioner's office was not desirable. Afterwards it was divided into three courts. One court was set up at Kyd Street, but this had to be abolished. You cannot set up a police court in every man's house.

Then, Sir, as regards some remarks made by my esteemed friend, Rai Mahendra Chandra Mitra Bahadur, that there would be loss of efficiency. With the greatest deference to him, which is almost unlimited, I say that this fetish of efficiency should not be carried too far. There is a limit to the constant cry of efficiency. Everything which is not suggested by Government is not efficient. That is an idea against which I strongly protest. His second objection was that there was no scheme ready. Are we the persons to make schemes? We make proposals, if they are accepted we have got highly paid officers to work out schemes. I am not here for the purpose of making schemes. That is idle talk. We have our land surveyors, we have our engineers, it is for them to make schemes.

Therefore I say—do not have a fetish of all that. If it appears to you that there should not be two courts but one and that is more to the convenience of the public, by all means have it done. If it is not so, and if the facts and circumstances show that it is less costly and more convenient to have two courts and that is calculated to cause less delays, by all means have it.

Then, as regards the present court at Bankshall Street, I submit that this house was built before Lord Clive came to this country. It is a very old dilapidated building and I do not know whether Government will be responsible for the loss of limb or of life that may be caused if it tumbles down. It is a very wretched old building and perhaps the oldest building in Calcutta. It has got to be demolished in any case, and if it is to be demolished, may I ask whether it would not be a sensible course to sell this plot and out of the sale-proceeds to have the police courts at the heart of the commercial part of the town? Just opposite the Central Avenue or near about it, you can have a fine building for the accommodation of the courts out of the sale-proceeds of the land in Bankshall Street. I think you can now acquire some lands at the site just opposite the present Central Avenue and which is, I believe, projected to be extended up to Dharumtala. It will indeed be a splendid building and there you can have ample space and compound and something more for some other things which you might require. You can put even your court for traffic cases there: of course you must have the children's court in a quite separate building but it is quite a different matter.

As regards the court at Jorabagan, I submit that it is not a fit place for a court. Although it is in the northern part of the town, but it is

away from the tramway service and one attending there has to walk some distance——

At this stage, the member having reached the time-limit, took his seat.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to support this resolution but I must say that there are two sides of this question. I have heard some strange observations made to-day. One of them is that justice should not be brought near to the homes of people and that it is absurd and nonsensical. This was too much for me.

Babu SURENORA NATH MALLIK: Is the expression "nonsensical" a parliamentary expression?

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I think it is unparliamentary.

Rai JOGENDRA CHUNDER GHOSE Bahadur: May I ask—was the word "nonsensical" used by the last speaker parliamentary?

The DEPUTY-PRESIDENT: You are not to put any question to the Chair. You had better go on with your speech.

Rai JOGENDRA CHUNDER GHOSE Bahadur: To say that to bring justice to the doors of people is absurd is a proposition which will take a man's breath away and I wonder that a member of this Council could have seriously made it. Justice ought to be brought down to the homes of people whenever it may be possible. When it is possible to do so the courts should be duplicated. It is a question of finance to the people. When the Government was pleased to divide the police courts into three courts it was guided by the best of motives. It divided the police court into three courts—the Kyd Street, the Jorabagan and the Lall Bazar where they are now. It was thought that it should be to the benefit of the people, but, unfortunately, their intentions have been falsified and they were obliged to close up the Kyd Street court. Now the question is: Is the Jorabagan court a convenient place for the police to be located? A gentleman says, "no." Surely if it is not it ought not to be there and that is one reason why I support this resolution. If you can go to a central position and bring justice nearer to the homes of the people, it would be a good thing to do.

Then comes the question of expense. This is a serious matter. We are not financially very well off and if this leads us to a large expenditure, I shall be the last man to support a change; but so far as I can see it will not lead to a large expenditure. This is a question which must be decided by the Government authorities; it is for us to say that it is the desire of the Council that the Jorbagan court should be abolished and that it should be brought back to one court. In this matter the wishes of the people should be consulted and so far as I can see, the

representatives of Calcutta in this Council have all supported the resolution. That being so, Government is bound to consider the wishes of the population of Calcutta as expressed through their representatives. If there were any man here who represented the people of Calcutta and said "no, we do not want it," I, for my part, would have thought twice before supporting this resolution. As no such man has come forward and said it would not be right, we cannot but support the resolution. A mufassal pleader has opposed the resolution. I say he has got no *locus standi* in the matter.

I submit that taking all sides of the question into consideration, the resolution should be supported. Of course, the question of cost still remains. We express our desire that the resolution should be supported but when Government should bring forward proposals as to the cost then we would finally decide the matter.

Maulvi A. K. FAZLUL HAQ: I feel an almost irrepressible desire to speak on this resolution because the suggestion now under discussion is one of my old favourites. Twice in the old Bengal Legislative Council I brought similar resolutions for consideration, and on both the occasions I was taunted with the remark that I had brought forward the resolutions in the interests of the members of the legal profession. I am glad that on the present occasion the resolution has been brought forward by a member who does not belong to my profession and to whom, therefore, the charge can never apply and whose experience of the matters under discussion is as wide and varied as his motives are beyond question or criticism.

I have not had the advantage of listening to the debates of yesterday and I am at a slight disadvantage in consequence. I will, however, try to recapitulate the arguments which, to me, appear very strongly in favour of the suggestions now before the Council; and I would ask hon'ble members to excuse me if, in doing so, I repeat the arguments which might have been brought forward by members who have spoken before me.

The first point that I would submit for the consideration of this Council is a sort of admission that was made by the Hon'ble Mr. Lyon on the first occasion in reply to my resolution that the location of three courts at three different places was nothing more than a mere experiment. Well, if it was admittedly an experiment, the question whether that experiment has been a success or not must necessarily be judged by the results. Now, on the first occasion, although my resolution was not accepted by Government, the Hon'ble Mr. Lyon promised that he would make certain inquiries, and, as a result of the inquiries, he was convinced that one at least of the courts ought to be abolished. The net result was that the three courts were reduced to two. To that extent admittedly the experiment has been a failure. The whole question now is whether this experiment of locating the courts at two different places must be

considered to be anything like a success. In judging that matter certain facts have to be kept in mind. I have heard a great deal about justice being brought home to the people; but people forget that a court is not constituted merely by setting up a bench of magistrates, either stipendiary or honorary with certain official paraphernalia to help the court in its work. It is also necessary that there should be lawyers attached to the court to help the court in carrying on its business, because although lawyers do constitute a sort of unmitigated evil, they are, to say the least, a necessary evil under the present system of administration in this country. If you set up courts at every street corner you also invite pleaders to set up practice, and the result necessarily is that litigation is fostered; and whereas you want to bring justice to the door of the people, all that you succeed in doing is that you induce the people to indulge in unnecessary litigation. The multiplication of courts leads to this disadvantage, that it increases litigation which at least is an evil and has got to be condemned.

Secondly, my friend, Rai Mahendra Chandra Mitra Bahadur, who has opposed this resolution, forgets the fact that, when pleaders have got to divide their time into two courts, they get an opportunity of charging exorbitant fees from their clients. My friend is a member of the legal profession himself, but I doubt if he has experience of the work that is being done in the two courts in Calcutta. I can, however, claim to have some practical and personal experience of the business that is conducted in these two courts. On one occasion, if my memory does not fail me, I had one case in the Jorabagan court, two cases in the Bankshall Street and a case in the High Court, and the Council will be surprised to hear that on that day my clients between themselves, had to pay something like Rs 30 as taxi hire. I had to take a taxi to the Jorabagan court and as taxis are not ordinarily available there, I had to keep it waiting there and the charge was enormous. These little expenses which clients have to undergo can be obviated if the courts are located in the same building.

Then, there is the question of fees that is paid to the pleaders You cannot ignore the pleaders; you have got to engage their services and you have got to go to them; and if 150 pleaders separate themselves into two different buildings and on an average there are 75 in each building, these 75 persons get an opportunity, in most cases, of dictating their own terms. You must not make the mistake of thinking that because the number of pleaders is decreased the number of cases in the two buildings remains the same It is not merely the half of what it was at each place; so that while the work is appreciably diminished the number of pleaders practising at the place is reduced to half and the pleaders get an opportunity of charging exorbitant fees. I am saying this from personal experience although I have not been there as a litigant in either of these places; but as a matter of fact I have come across cases in which litigants have had to pay very exorbitant fees simply because they could not induce the pleaders practising ordinarily at one place to go to attend to his case at another

place. The question of expenses to the litigants has certainly to be considered and it is the most important factor for consideration of this Council.

Then, there is the question regarding houses in which these courts are at present located. The Jorabagan house itself is unsuitable and undesirable. So far as the Bankshall Street court is concerned the site may be a good one but the building has been repeatedly condemned. And the Government have admitted that they are going to rebuild the house in Bankshall Street on the site on which the court is located. If the building is really going to be rebuilt, cannot the Government take steps to make it spacious enough to accommodate the two courts—the one at Bankshall Street and other at Jorabagan in one building? There is another point which is more or less of a sentimental character, but which ought not to be ignored. It is this; that in Jorabagan the Deputy Commissioner sits with all his police paraphernalia and there are also the Magistrates holding the courts. I have heard complaints from the public that this is a most undesirable arrangement that can be conceived As a matter of fact, one of the reasons why the Police Court was removed from Lall Bazar was a general complaint of the public that the Police and the Magistrate ought not to be located in the same building. Is it conducive so much to efficiency that you should ignore public feeling and public criticisms in this matter and persist in locating in the same building the Deputy Commissioner and all his police as well as the Magistrates? The reason is that the public say that the presence of the police in the court building terrorises the witnesses and they get so much frightened at the sight of the police that they really feel loath to speak the truth.

Then, there is the question of the unequal distribution of the work. If the Magistrates are located in the same building, when one Magistrate has got his hands free some cases can be transferred to him. Suppose that the Magistrate at Jorabagan finishes his cases by 2 P.M., but before he can send word to the Chief Presidency Magistrate to get some more cases to try, the court hours are over. But if the Magistrates are located in the same building, immediately a Magistrate has his hands free, he can get some cases transferred to his file; and this might lead to an expeditious trial of cases. This question has been already discussed and I might remind the Council that under the provisions of section 192 of the Criminal Procedure Code it is the Chief Presidency Magistrate who can directly transfer the cases; and the fact that the Magistrates are holding their courts in two different places greatly impedes in the way of the expeditious transfer of cases by the Chief Presidency Magistrate. Instances are not uncommon in which delays have occurred simply because the Magistrate is sitting in one building and the Chief Presidency Magistrate is sitting in another building and the latter is not able to quickly transfer the cases to the Magistrate who has his hands free.

As regards the establishment cost and contingent expenses, my friend, Mr. Mallik, and another speaker have referred to them and have shown

how these charges have gone up in one case from Rs. 30,000 to Rs. 41,000 and in another from Rs. 7,000 to Rs. 16,000. Of course, I am speaking subject to correction. At any rate, it must be admitted that there has been a great increase both in the establishment and in the contingent charges.

Lastly, comes the question whether the suggestion that has been made in this resolution should be really accepted by Government. Government can always find grounds for rejecting proposals. Government members can always put up the most gallant defence in defence of a very bad case. I would ask hon'ble members to consider the suggestion on the merits and from the point of view of litigants and litigants alone and not to yield to the clamour of the official defence. The Government has defended the system. There is in this Council, and, if I mistake not, a public outcry against the system which has gone on increasing since I discussed this question in Council in the year 1915. During these six years, we have been repeatedly approached not by pleaders but by members of the litigant public to bring up this resolution in the Legislative Council. This year, fortunately, a non-lawyer member has taken up this question; and I hope the Council will disabuse their minds of the suspicion that this suggestion is being made in the interests of a certain profession and not in the interest of the general public.

With these few words, I beg to support the resolution.

Rai UPENDRA LAL RAY Bahadur: Coming, as I do from a mufassal town, I may be considered to be a person who could not speak with any amount of authority on this subject. But I can speak something about Chittagong, where I reside. There we have all the courts—civil, revenue and criminal—located in one and the same building. It is a great convenience to the litigants and the lawyers. Supposing in the midst of a case, complicated questions of law arise and the pleader who is acting in the case is not considered strong enough to meet the points and the party has to fetch a senior pleader. This is possible only if he is available on the spot. But if the courts are situated far away from one another, one cannot with convenience get a pleader from another court. This is a convenience which is very often felt in Chittagong where we have all the courts located in the same building—sometimes it so happens that a pleader is required who can humour a particular court. I do not like to dwell much upon the convenience of having all the criminal courts in Calcutta in the same building as previous speakers have already done so.

I would request those members who are opposed to the proposal to consider whether it would at all be convenient for parties if the High Court were split up and the Original and Appellate sides located in buildings two miles apart. One central house for all the courts is a convenience not only to the litigants but to lawyers also as the latter can take up more cases during a day than they could otherwise do.

The Hon'ble Sir ABD-UR-RAHIM: I must say on behalf of the Government that we have no particular feeling in the matter and would not like to be considered obstructive to any scheme which is really conducive to public convenience. I wish to make it clear at once that if the Government be satisfied that it is desirable in the interests of public convenience and for the efficient administration of justice to have only one court for the whole town of Calcutta, we will have no hesitation to accept such an arrangement. I have listened very carefully to the arguments that have been adduced on this point, but I must confess that I am not quite convinced that it is in the interest of the public that there should be only one police court for the whole of Calcutta. I remember the Lall Bazar police court and very few of the gentlemen, who have spoken on this subject, including the three Honorary Magistrates, can claim to have been very familiar with the business of that court. I may state that every Magistrate and even the lawyers were not satisfied with the arrangements that prevailed there. It was extremely inconvenient for conducting the business there owing to the large crowds that assembled. You know that at least for a good portion of the morning petty cases are brought up which bring in a very large crowd of people, and it becomes very difficult for the court to conduct the business. Now if you have all these cases, which have gone on increasing since then and if all the other criminal business be centred in one court, I have no doubt that *primâ facie* it would be very difficult for the Magistrates to do their work. When I was a Magistrate I knew it was the general feeling that the Lall Bazar police court was not at all convenient, it was too small and it was desirable that there should be better accommodation for the Magistrates. I am sure many people felt at the time that it would be better and more conducive to a proper conduct of business if there were more than one court in the town of Calcutta. If this resolution were given effect to, Calcutta would be the only large town of its size that had one police court for the entire city. From a very long time Bombay had more than one police court—I believe two police courts—and Madras had three police courts. I am not sure that Madras has not got four police courts, but I am certain of three. To say that it would be more convenient to the litigants who resort to the police court to have one court is, I say, *primâ facie*, a bad proposition. I confirm this from my own experience of the working of the police court for quite a number of years; and business has increased since then considerably. Can there be any doubt that it would be especially inconvenient for the poorer litigants if there be only one court again? We have in a matter of this sort primarily to look to the convenience of the poorer classes of the people who attend the police court from day to day. They are to be found dispersed all over the town of Calcutta. It was suggested by one of the speakers, I think Dr. Haridhan Dutt, that it is a fallacious idea that people have to go to the police court from different parts of Calcutta, but that everybody who has to attend there is to be found somewhere near Dalhousie Square.

Rai Dr. HARIDHAN DUTT Bahadur: I did not mean everybody. I meant only those who go to the police court.

The Hon'ble Sir ABD-UR-RAHIM: I know that you did not mean either yourself or myself but those who resort to the police court. Dr. Haridhan Dutt has argued that most of the people who attend the police court are centred somewhere in Dalhousie Square on business. I think this is an absolutely unfounded suggestion. Do people give up their occupations at Bara Bazar, Jorabagan and other places? Business is carried on all over the town and I think the northern division of the town can claim as large business centres as Dalhousie Square or Fairlie Place. It is difficult to make an accurate estimate in a matter of this sort, but I should say without hesitation that much the largest number of people who resort to the police courts are from localities other than Dalhousie Square. These divisions of the town for police administration—northern division and southern division—have existed from a very long time. Is it not more convenient to the people of the southern division to have a court to which they can have easy access in their own midst. The same consideration applies to those who live in the northern division. Until I came to this Council and heard the debate I admit that I had never heard any complaint as regards the situation of the Jorabagan police court. Only the other day the Chief Presidency Magistrate and a number of Honorary Magistrates—most of the leading Honorary Magistrates—about fifteen in number saw me in connection with some other matter and I asked their opinion as to whether it would be more convenient for the despatch of business to have only one court or to have the present arrangements continued, *i.e.*, one court for the northern division of the town and another for the southern division. They all unanimously and emphatically said that it would be more convenient to keep the present arrangement.

There is another consideration to which the House ought to pay considerable attention and that is this. We have at present got two courts, one in Bankshall Street in the southern division of the town and the other in Jorabagan. The Bankshall Street building is in a dilapidated condition and has been condemned by engineers. So we are considering what are the best arrangements to be made as regards the location of the Southern Division police court. The Bankshall Street court we have to give up very soon and I need not remind the members of this Council that it is not a very easy matter at the present day to find sites for any large building which would be suitable for the location of the police courts. We are trying hard to find a suitable site where a proper court can be built for the purpose of the southern division. We do not wish to scrap the Northern Division court. We bought the building there at a considerable expense, I think, running to several lakhs of rupees and it would not be easy to dispose of a building of that character at this time. To find a central site and to build a court which would accommodate the entire criminal business of the town, will be, I submit, a

very, very expensive and difficult affair, and I think it ought to be left to the Government to ascertain which would be the best means for accommodating the criminal courts, which course would be economical and at the same time also most convenient to the people. I have no information of any available place which will accommodate all the courts. These are obvious practical considerations to which the greatest weight ought to be attached by the members of this House. Then some complaint has been made of irregularity in the conduct of business in Bankshall Street and Jorabagan courts. Well, Sir, if there are irregularities of this sort, one would have thought that they would be brought to the notice either of the High Court or of the Government. So far as I am concerned it has not yet been brought to my notice that there was any serious difficulty caused by the present arrangements, leading to delay in the disposal of cases. Sometimes delay is absolutely inevitable and it is impossible to prevent it. Cases have to be adjourned because records and documents that are wanted in a particular case are in use in another trial. This happened frequently in the Lall Bazar court when there was only one court. That is a contingency which cannot be avoided even if we have only one court.

Then as regards supervision by the Chief Presidency Magistrate, I do not know what idea the member who talked of the necessity of greater supervision has as to the power of control of the Chief Presidency Magistrate over other Presidency Magistrates. All Presidency Magistrates of Calcutta have plenary powers. Once cases are made over to them, they are in sole charge of them and the Chief Presidency Magistrate cannot interfere in any way. He can, however, for good grounds transfer a case. But transferring a case means that application has to be made to him, notice has to go to the parties, he has to hear the parties and then only can transfer be made. Even though the courts be in one place, transfers cannot be had then and there. I speak in the presence of many lawyers and I am sure they will all admit that this is the law. If the idea be that the Chief Presidency Magistrate, so far as the supervision is concerned, should guide the other Magistrates in the trail of cases surely the members of this Council will be the last persons to countenance any such idea. I submit that there is no substance at all in an argument like this. Complaint has also been made that the present arrangements have led to a considerable expenditure in the contingent charges. As you know, the number of Magistrates had to be increased and necessarily the establishment had to be increased also. The cost has been increasing not only in the police courts but in other courts and Government office establishments had to be increased everywhere, and increased pay had to be given. That is how the cost has gone up and not because there are now two courts instead of one. So far as the repairs of buildings are concerned, the cost has increased to a certain extent. Here and there a few additional clerks and peons might have been entertained, but that is a small item. The real consideration is that, if you have two courts in two parts of the town, it will tend to the greater convenience of the public than if you had only one court. That is my point.

I must again make it clear to this Council that we are carefully considering what we should do with the Bankshall Street building and how we are going to replace it. The most important question is of money - a question which is always with us. We have at present no money for building any new court and it will depend greatly upon what amount of money we have as to what sort of arrangements can be made. The question of principle involved is whether it will be more convenient to the public of Calcutta to have one or two courts. On that abstract question, I submit that there ought to be no doubt. What practical effect can be given to that proposition is another matter.

I ask this House not to pass this resolution.

Rai Dr. HARIDHAN DUTT Bahadur: In replying to the observations I must start by thanking those of my friends who have been kind enough to support my proposal. I find that including myself 13 members of this Council have taken part in the discussion, of which, leaving myself, out of 11 members 9 have given their whole-hearted support to me and two gentlemen have opposed this motion. Of the two, one is Rai Mahendra Chandra Mitra Bahadur and the second is the Hon'ble Sir Abd-ur-Rahim. I should in my reply confine myself to the two members who have thought fit to oppose my resolution.

Coming first to the Rai Bahadur, I would say that his opposition is half-hearted. He has not actually opposed my resolution but all that he has said is that he would like to have more facts and figures before he could come to any decision. He has asked that there should be an inquiry and so forth. So I think I am justified in saying that his opposition is half-hearted.

I think my friend is labouring under a false impression that this resolution has been moved by me in compliance with a request made by persons, who are interested in this question. Before I proceed I would assure him and my other colleagues that I brought forward this resolution not from any desire to help the legal profession It was never suggested to me by the members of that profession nor have I been influenced in any way by them. It is only fair to them that I should assure this House of that.

The Rai Bahadur asks if there is any public demand for it I am really surprised at this. Does he expect that the public should be clamouring against this question like the Khilafatists or the Non-co-operationists? The public did cry against it when the proposal was first mooted; that was several years ago. On two previous occasions this Council heard an echo of that. We come here as representatives of the people; we are ventilating the feelings of the people. Are we not entitled to stand here and speak on behalf of the public? If, out of 11 persons who have spoken on my resolution, 9 have been able to support it, am I not entitled to hold that there is a popular clamour against the present state of affairs? I would ask my friend the Rai Bahadur to

consider this. If my friend says that he is not prepared to accept that, I find myself in a very unfortunate situation.

In my speech, to deliver which it took me nearly half an hour, I tried to give as many facts as I possibly could collect. I was afraid that I might be tedious but even at the risk I tried to place almost all the facts before the Council.

Before I brought this matter here, I elicited certain information from the Government by putting a series of questions which undoubtedly must have annoyed some of the Government executive officers for which I hope to be excused. I collected all these facts and figures, tried to analyse them and put them in my speech. What my friend wants further I am unable to understand.

My friend says that certain sections of the existing law which stand in the way of efficient administration of the police court may be amended and the Hon'ble Sir Abd-ur-Rahim has also referred to this. I do not understand why we should proceed in a roundabout way and not take a straightforward course.

My friend further asks why there should be any increase of pleaders' fees, when there is a crowd of lawyers. My friend is rather old and he does not know what is going on amongst the youngsters. There has, no doubt, been an increase in the number of lawyers both at Jorabagan and Bankshall Street courts; and it is also a fact, which cannot be gainsaid, that the pleaders have also increased their fees.

My friend suggests the appointment of two Public Prosecutors—extremely good of him. We are already sick of the increase in expenditure for providing one. My friend Babu Surendra Nath Mallik referred to the grant of a motor-car allowance to the Public Prosecutor in order to enable him to run from one court to another. If the Council accepts the suggestion of the Rai Bahadur that two Public Prosecutors will solve the difficulty I have nothing to say.

Since I have moved my resolution, a gentleman has placed before me a collection of newspapers favourably commenting on my resolution, which it is not possible for me to place before this Council.

Now I come to my friend the Hon'ble Sir Abd-ur-Rahim. He has very little to justify his opposition to my motion. He says that if the Government be satisfied that it will lead to economy and efficiency then he will consider my scheme. I am greatly obliged to him for that, but if the trend of the discussion on this motion has not satisfied my friend I do not know what will. My friend wants to be convinced that it is to the interest of the public. I again say that here I stand as representative of one-sixth of Calcutta. Have I no right to speak on behalf of those whom I represent? If that is not so, why are we here? If we have not the right to speak on behalf of the people then I think this Reformed Council is a farce. We have not been nominated by Government but we have been elected by the people. Ten out of the eleven persons who

are mostly living in Calcutta and who are associated with the life of Calcutta have favoured their expression of opinion. If this does not give any idea of public feeling I must say that the Reforms Scheme, as the people outside this Council think, is perhaps a myth.

Then, my friend said that most of the Presidency Magistrates and lawyers were not satisfied with one court. I think this is not a fact; any one who happens to go to the Jorabagan court can ascertain what the truth is. The Magistrates who are in the pay of Government dare not say what they actually feel, but if you give them the scope to speak out their mind freely a different story will be told. If my friend will look into the file of Mr Swinhoe, he will find a large number of letters from the Honorary Magistrates asking him to be relieved from Jorabagan and transferred to Bankshall Street court.

Then, Sir, my friend says there is a large increase in the number of cases Who has denied that? I have begun my speech by saying that there has been a large increase in the number of cases; perhaps he did not listen to me I said the petty cases have gone up from 70,000 in 1914 to 83,000 in 1920 and serious cases from 9 300 in 1914 have gone down to 7,800 in 1920 I have got these statistics for the last seven years from Government There is thus a decrease in the number of serious cases My proposal is to separate the petty cases and put all serious cases in one building He speaks of the physical congestion owing to the large number of cases without taking into consideration the proposals I have made My friend says that it would be very difficult if all the officers are put in one court building It is not clear to me. It seems that he has not read my resolution carefully: it speaks of locating all the courts in one compound, but I have never suggested that petty and serious cases should be tried in the same building My resolution speaks clearly that serious cases should be brought into one building and that petty cases would be tried in a different building though in the same compound or close to one another.

Then, my friend has pointed out to me that in Bombay there are two courts and in Madras three He certainly knows that Madras is a city of long distances. If a man has to go from one portion of the city to another he has to travel several miles Here what is the fact? Bankshall Street is midway between the northern and southern parts of the city. If one has to go from Shambazar he has to go the same distance as a man from Dharamtala or Taltala. So the analogy of Madras does not hold good If you want to take pride in having as many police courts as in Bombay and Madras, that is a different thing.

It has been said that it is necessary to look to the convenience of the poor people who are dispersed all over Calcutta. I have never suggested that only the convenience of the *bhadraloks* who have to go to the police court need be considered What I meant was that we should look to the convenience of those people to whom time is more valuable than to others.

A large number of people who have to go to the police courts are not litigants. In fact, some of us have to leave our work and attend these courts as witnesses. What I meant by suggesting to have all these courts located in the centre of Calcutta was that most of us had to work either in courts, offices or similar other institutions which are mostly situated in or near the Dalhousie Square and if a man had to attend the police court for 10 or 20 minutes he could easily do so by leaving his court or office, as the case might be, for the time being. But if he has to come from a distance, it is not possible for him to do that. What I suggested was that the northern and the southern courts should be located as before in one and the same building or in detached buildings in the same compound in some central place in Calcutta. My suggestion is that both the courts should be located in the same compound as we used to have previously at Lall Bazar.

Then, Sir, my friend, Sir Abd-ur-Rahim has said— —

Mr. HUSEYN SHAHEED SUHRAWARDY: I rise to a point of order. Is the member justified in calling a Member of Government as "my friend" instead of as "the Hon'ble Member"?

The DEPUTY-PRESIDENT: I think he is in order.

Rai Dr. HARIDHAN DUTT Bahadur: He has said that the Bankshall Street building is condemned——

I admit that, and that is one of the reasons for my coming with this proposal.

The motion was then put and agreed to.

The Hon'ble Sir ABD-UR-RAHIM: May I ask for a division?

The DEPUTY-PRESIDENT: After it is declared from the Chair that the "Ayes" have it, I do not think the Hon'ble Member can ask for a division.

Rai Dr. HARIDHAN DUTT Bahadur: I think ample time was given to ask for a division. But if the Hon'ble Member wants to claim it now, I do not mind.

The DEPUTY-PRESIDENT: The time for asking a division is, I think, before the final declaration is made from the Chair.

Mr. D. C. GHOSE: But, Sir, yesterday after you declared with regard to a particular resolution that "the Ayes have it," you allowed a division.

Mr. HUSEYN SHAHEED SUHRAWARDY: I am afraid there is some misunderstanding. May not a member claim for a division after the Deputy-President says "I think the Ayes have it?"

Babu SURENDRA NATH MALLIK: If the Hon'ble Sir Abd-ur-Rahim still has a doubt, let there be a division; we are prepared for it.

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Henry Wheeler): If I may say so, it is perhaps a case of misunderstanding. My recollection is that there have been instances at previous meetings when after the Ayes and Noes have been called for, as has been done on this occasion, and the President has remarked that the Ayes or Noes have it, as the case may be, members have jumped up and asked for a division, and it has been allowed; that is my recollection. Therefore, all members are possibly not aware that they have got to claim a division before the final declaration is made from the Chair. Up till now there may have been some slackness in enforcing the rule that members must make their request before your final decision and this point was possibly not clearly understood till now.

The DEPUTY-PRESIDENT: I think, under the circumstances, I should allow a division.

A division taken with the following result :—

AYES.

Afzal, Nawabzada K. M. Khan Bahadur.
Ahmed, Maulvi Rafi Uddin.
Alay, Mr. S. Mahboob.
Ali, Mr. Syed Erfan.
Arbamuddin, Maulvi Khandakar.
Azam, Khan Bahadur Khwaja Mahamed.
Barma, Rai Sahib Panchanan.
Bartan, Mr. H.
Bhattacharji, Babu Hem Chandra.
Bose, Mr. S. M.
Carey, Mr W L.
Chaudhuri, Babu Kishori Mohan
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Chaudhuri, Rai Harendranath.
Chaudhuri, Sir Ashutosh.
Cochran, Mr. A.
Cohen, Mr. D. J.
Das, Babu Bhishmadev.
Das Gupta, Babu Nibaran Chandra.
De, Babu Fanindralal.
Dess, Rai Bahadur Pyari Lal.
Dutt, Mr. Ajoy Chundar.
Dutt, Rai Bahadur Dr. Haridhan.
Farequi, Mr. K. G. M,
Forrester, Mr. J. Campbell.
Chose, Rai Bahadur Jagendra Chunder.
Haq, Maulvi A. K. Fazl-ul.
Hussain, Maulvi Mahammed Madassur.
Karim, Maulvi Abdul.
Karim, Maulvi Fazlal.
Khan, Maulvi Md. Rafiqua Uddin.
Khan, Mr. Razaur Rahman.
Khan Chaudhuri, Khan Bahadur Maulvi Muhammad Ershad Ali.
Larmour, Mr. F. A.
Makramali, Munshi.
Mallik, Babu Surendra Nath.
Mukherjee, Babu Nitya Dhone.
Mukharji, Professor S. C.
Mullick, Babu Nirode Behary.
Nakey, Mirza Muhammad Ali.
Naskar, Babu Hem Chandra.
Raikat, Mr. Prasanna Deb.
Rauf, Maulvi Shah Abdur.
Ray, Kumar Shib Shekharaswar.
Ray, Rai Bahadur Upendra Lal.
Ray Chaudhuri, Babu Brojendra Kisher.
Ray, Babu Malini Nath.
Roy, Mr. Bijoy Prosad Singh.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilell Singh.
Roy Chaudhuri, Babu Sailaja Nath.
Sarkar, Babu Jogesh Chandra.
Sarkar, Babu Rishindra Nath.
Sinha, Babu Surendra Narayan.
Stark, Mr. H. A.
Suhrawardy, Dr. A.
Suhrawardy, Dr. Hassan.
Suhrawardy, Mr. Huseyn Shaheed.

NOES.

Ahmed, Maulvi Yakuinuddin.
Ahmed, Munshi Jafar.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Banerjea, the Hon'ble Sir Surendra Nath.
Bias, Mr. E. E.
Bompas, Mr. C. H.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Currie, Mr. W. C.
Dey, Mr. C. C.
Dutta, Babu Annada Charan.

Deval, Mr. H. P.
French, Mr. F. C.
Goode, Mr. S. W.
Gordon, Mr. A. D.
Hindley, Lt.-Col. C. D. M.
Hopkyns, Mr. W. S.
Kerr, the Hon'ble Mr. J. H.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Marr, Mr. A.
McKenzie, Mr. D. P.
Mitra, Rai Bahadur Mahendra Chandra.
Mitter, the Hon'ble Mr. P. C.
Pahlewan, Maulvi Md. Abdul Jubbar.
Rahim, the Hon'ble Sir Abd-ur.
Ray Chaudhuri, Mr. Krishna Chandra.
Robinson, Major-General W. H. B.
Stephenson, Mr. H. L.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Watson-Smyth, Mr. R. M.
Wheeler, the Hon'ble Sir Henry.
Williams, Mr. C. Addams.
Wordsworth, Mr. W. C.

The Ayes being 58, and the Noes 35, the motion was carried.

The DEPUTY-PRESIDENT: There seems to be some doubt in the minds of members as to the proper time to call for a division. The procedure in putting the question from the Chair is as follows:—

The Chair reads out the motion to the Council and then adds the direction—"As many as are of that opinion will say 'Aye'; those of the contrary opinion will say 'No.'"

The Chair then gives its opinion either way according to the volume of voices, thus—"I think the Ayes have it," or "I think the Noes have it." If a member desires a division he should claim it within a reasonable time at this point. If no one rises, the Chair declares the decision of the Council accordingly and after that no division can be claimed.

Mr. HUSEYN SHAHEED SUHRAWARDY: What does the Chair consider a reasonable time?

The DEPUTY-PRESIDENT: That is a matter in the discretion of the Chair. If a member wants a division it should not take him more than a few seconds to rise after the Chair has given its opinion as to the sense of the House.

Pensions to Kanungoes.

Maulvi RAFI UDDIN AHMED: "This Council recommends to the Government of Bengal that the posts of Kanungoes be made pensionable and be absorbed in one or other of the Government services."

Those who have actually seen the Kanungoes work in the fields must admit that they are the most hardworking servants of the Government. They have to undergo all the severities of climate in the open air, in the extreme cold of winter, in the scorching rays of the sun in summer, and in the rains during the rainy seasons. They are educated men, brought up in a fashion quite unsuited to these conditions of life. Some of them lose their health and die an early death.

Indeed no other educated servants of the Government are so hard-worked as these poor Kanungoes. They have to work in the jungles, in marshy lands and in plains. They have mostly to live away from their families. Yet their posts are not pensionable. Nothing can be harder

than this. These Kanungoes are a band of faithful servants of the Government, as good as any others. Yet they are to be driven away from the benign protection of the Government when they are old to die of starvation. This is hardly fair and does not justify the great name of Government.

Of course there is the question of finance. But they are not to be pensioned off now. It may be necessary to do so after 10 years.

These Kanungoes are paid by the people of the district where the settlement operations take place. But some money is always left in the hands of the Government from every district at the end of the settlement operations. They may be pensioned off out of this fund. And every Kanungo is not to be pensioned off.

The resolution asks for absorption of the service in other services. Government in their Administration Report admit that they furnish a particularly fair field for the recruitment of sub-deputy collector for circle system. However, very few of them have been thus promoted. By promotion Government will get a band of experienced officers on the one hand, and would induce a better class of people for the post of Kanungoes on the other. So all that is demanded is that the ablest of them should be promoted to some other Government service and the remaining few, if there are many, may be pensioned off.

I dare say that very few will get pension as very few of them will live beyond 25 years' service if they are to serve as Kanungoes. So Government will not have to spend much money for them.

So I humbly pray that Government will kindly accept the resolution.

With these words, I beg to commend this resolution to the acceptance of the Council.

Babu NIBARAN CHANDRA DAS GUPTA: The Settlement Kanungoes are a class of very useful public servants. Government members know very well, the amount of work these Kanungoes do in the mufassal. They have to do the spade work when any settlement operations have to be carried out in any part of the district, and often times very responsible and arduous duties are imposed upon them. So it is only the barest act of justice that is asked for these hard-working officers in this resolution. They have to work as *ticca* labourers and are liable to be discharged at the end of the settlement operations. I do not think it conduces to contentment in them. I think it may not be difficult to absorb them into a permanent cadre; if that is done they will have no grievance. We know that settlement work lasts for only a few years and it may be necessary in the interests of the Treasury or Public finance that these officers should be discharged; but considering the valuable work these public servants render to the State, it is desirable, if we want to recruit such public servants from among deserving and qualified young men to give them some kind of help by absorbing them into a permanent cadre or into other Government offices. If they are to be

made permanent, those Kanungoes who have given the best part of their lives to Government service should not be thrown overboard in their old age, without any prospect of pension or chance of getting into any other service; and, as I said at the very beginning, it would only be an act of the barest justice if Government makes their posts permanent. I do not think Government will find it at all difficult, considering the number of Kanungoes, to absorb them into a permanent cadre.

With these words, I beg to support the resolution.

Maulvi MUHAMMAD ABDUL JUBBAR PAHLOWAN: I cannot understand the spirit of the resolution. When the Government is unable to protect the lives of the people from the attack of such serious diseases as cholera, malaria, etc., when such important items of work as are most essential factors to build a nation are left aside for want of funds, and when there is a cry, in and outside the Council, for retrenchment, is it advisable for us to burden the Government with additional expenses? And if we do so, will not our cry for retrenchment be taken as a false one?

With these few words, I oppose the resolution.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: It is refreshing no doubt to Government to find that a class of people whom they employ should receive sympathy from some of the members of the Council. But I do not think that the position of the Kanungoes has been properly visualised. As regards the health of the Kanungoes we are told by one gentleman, the mover of the resolution, that they are so hard-worked that they are not expected to last 25 years, whereas my friend on my right—I hope Mr. Suhrawardy will have no objection to my addressing an M. L. C. as "my friend"—who supported the motion, said that he hoped some comforts would be given them in their old age. So here we have two conflicting opinions: one party thinking they will die in their youth and the other advocating comfort for their old age.

But the point at issue is that the posts of the present settlement Kanungoes are only temporary and that is our main objection why we cannot give them pension for they may be discharged at any time. Recently the settlement programme as it stood before has now been reduced to a two-party basis. In consequence, district settlement operations are likely to continue till 1933 or it may go on longer; but it may also happen that owing to the reduction of work it may be necessary to discharge a part of the staff. It was owing to these considerations that Government in 1914 decided to grant an increase of pay to the settlement Kanungoes. It was expressly on the ground that their services were temporary and non-pensionable that this increase was justified. There are now five grades of these Kanungoes with salaries rising from Rs. 100 to Rs. 200. Recently it has been decided to give the Kanungoes employed on field-work a pony allowance of Rs. 20 per month. This scale of pay may be compared with that of District

Kanungoes, which, since 1914, has been Rs. 60 rising to Rs. 120 by quadrennial increments of Rs. 10. I beg to mention one other fact. In 1911 the Kanungoes with other temporary officers became eligible for subscription to the General Provident Fund. In 1920, it was decided that it should be made a condition of appointment that the Kanungoes should subscribe one and a half annas per rupee of salary to the General Provident Fund. Officers already appointed could not, of course, be compelled to subscribe, but settlement officers were asked to endeavour to persuade them to do so. At the present moment 38 per cent. are subscribing. It may be urged on behalf of the Kanungoes that the Settlement Department makes no contribution towards their Provident Fund, and Government merely pay interest at 5½ per cent: which is less than what can be got in the market. But what I would like to point out is this: that in 1920, it was considered to give some form of gratuity or contribution to pensions, but it was decided that Kanungoes must in future contribute to the General Provident Fund. The only reason that has been given so far is that they are a deserving body of men I do not for a moment question that. But we have got to consider the broader principle, *viz.*, that we cannot grant pensions to temporary hands and it is on that principle, I think that Government say that pensions are not possible. As regards the question of absorbing these Kanungoes into other services, there are at the present moment something like 300 Kanungoes, therefore, it must be obvious that only a limited number can be promoted to the Subordinate Civil Service. Since 1916 24 have been promoted It is not easy to absorb them into other services without arousing strong objections in those services.

It is not therefore possible to accept this resolution firstly, on the ground that we cannot depart from the principle of not granting pensions to temporary hands, and secondly, we cannot give a promise to absorb these Kanungoes in other services in view of the fact that their numerical strength makes it impossible to do so I think the best way in which this Council can assist these Kanungoes would be to adhere to a steady programme of settlement work for in that way they will be employed as long as settlement lasts, and will give them better opportunities of coming into permanent service. For these reasons I am unable to accept this proposition on behalf of Government

Maulvi RAFI UDDIN AHMED: I have nothing more to add.

The motion was then put to the vote and declared lost.

Provincial Picketing Bill.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: "This Council recommends to the Government that early steps be taken to introduce a Provincial Picketing Bill on the lines of the British Act which recognises the right of a striker to resort to non-violent picketing while a strike continues."

The word "picketing" has within the last few months figured prominently in newspaper reports in connection with boycott of liquor shops and the peaceful persuasión practised by volunteers in their campaign against sale and purchase of foreign clothes. It has also been a part of the activities of strikers who struck work during the last strike-epidemic and strongly opposed employment of "recruits and strike-breakers" nicknamed "black legs." "Picketing" has, however, come into greater prominence during the present Tramways strike which has led to incidents which we all deplore and which I am glad are now over. I am not concerned with political picketing at all. My object in bringing this motion before you is, firstly, to place certain facts before you and the Government regarding the position of the strikers in this country as compared with other countries, and to indicate to you and the Government what protection should be given to our workmen who have withdrawn from work with grievances not listened to by their employers. In fact every one of us do want to see a fair and square fight between the masters and the men when disputes are inevitable. After all, attempts in great industrial and democratic countries to do away with strikes and lock-outs have failed miserably. Great men have denounced strikes and lock-outs as anti-social and barbarous, and the mass mind teaches that they bear an ethical relationship to those non-logical and non-analytical modes of thought and action that have brought the community to its present stage of disorder. The soul-destroying monotony of the workshop, the absence of opportunity for development and the exercise of merely the mechanical attributes by the manual workers must lead to intermittent stoppage of work and occasional strikes In fact the use of the strike-weapon emanates from a deep-seated emotion of the human heart and is in keeping with those tribal instincts which in the past have been the only guarantee of human progress and high endeavours.

Anyway we cannot do away with strikes by legislation or force of public opinion but it is the duty of the State to see that the fight between Capital and Labour, as I have said before, is fair and square and each side is provided, as far as the State can help, with weapons and tools to make it a real tug-of-war and not a one-sided farce I maintain Sir, that the masters in this country—both Indians and Indo-British—are not only well fortified because they possess Capital but they have much stronger weapons in their armoury than their workmen can even dream of having. One of their destructive weapons against strikers is an abundant supply of ordinary labour and their free employment to break strikes as we have seen in dozens of recent strikes. The employers of India have unions of their own stronger than any Masters' Unions, I am advised, anywhere in Europe. Their Chambers of Commerce with all the sister Associations attached to it are federations of capital which are indeed a menace to the economic improvement of the Indian labouring classes. Their colossal wealth is not merely an outcome of enterprise and investment, but is chiefly due to the exploitation of cheap Indian labour and the various monopolies they enjoy. These strong combinations or

Trade Unions impose on the employers an atmosphere of dictatorship not only commercial and industrial but political as well. They can set several sections of the Indian Penal Code in motion to penalise the strikers if they so desire. They can enforce almost all the laws relating to crimes against persons, properties, and public peace if the strikers are agitators and rowdy and are not easily subdued or they can give the *hukum*, as was done in case of a strike in Raniguunge, that so and so *budmashes*, who caused the strike, must not be found employed anywhere in the district. Above all they can almost dictate to the State with their present strong combination what should be done and what should not be done during a strike and what armed force should be detailed during a strike.

I have not in the least overdrawn the picture and members are requested to ask me for actual facts in support of my statements, facts which I have gathered by personal investigation. Can any of you deny the fact that the Employers' Trade Unions, specially in Bengal, are comparatively as strong as a howitzer against a toy-pistol—I mean the new Trade Unions in Bengal? Talking of Bengal the number of Workers' Unions, which technically go by the name of Trade Unions are now considerable but their strength so far as money and brain are concerned is indeed very insignificant compared with the colossal funds and strong leadership which characterise the dreadnought strength of the British, American and Colonial Trade Unions. It is true that our Workmen's Unions derive material assistance from outside volunteers and philanthropists, who help them as leaders and guides and keep up their agitation; but I am afraid this outside assistance has every chance of being eliminated as soon as the ground on which the unions stand is made a little firmer both by public opinion and legislation. The funds of these unions are not at all safe without special legislation and liable to pay damages to any employer who cares to prove to the satisfaction of a court that he has suffered loss through the action of any agent or official of a Trade Union. Withdrawal of labour, *viz.*, strike, which involves a breach of contract of service and persons prompting or inducing the men to strike are according to the Civil Procedure Code not only liable to be legally restrained but also liable to pay damages. In fact the engine of law was put in motion in Madras a few months ago against Mr. Wadia, Editor of *New India* and President of the Madras Labour Union. He was prosecuted and civil injunction was issued against him restraining him from Trade Union activities at the instance of the Directors of the Buckingham Mills. The judge held that his action was wrongful and his activities were actuated by malice. The Government of India, however, on the motion of Mr. Joshi in the Legislative Assembly, has decided to introduce early legislation to protect the funds of unions and to encourage registration of unions. In my humble opinion mere registration or protection of the funds are not enough for the future progress of Trade Unionism in this country.

The Council here adjourned for 15 minutes.

The Council re-assembled at 6-30 P.M.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: "The Government of India feel," I quote the circular of the labour department, "that it would be most undesirable in the present stage of the labour movement in India to countenance picketing in any form." I fancy this nervousness on the part of Government is due to the present political unrest which is undoubtedly very grave. I am, however, inclined to think that the unrest is a passing phase of the world unrest and let us hope that it will not be long before peace is restored. The fury and excitement of our working classes due mainly to the activities of the politico-religious agitators should, on no account, be considered as an excuse for withholding legislation to protect the rights of our workmen to resort to non-violent picketing during a strike. I have already mentioned that activity or agitation on the part of a striker is, as the present penal laws stand, punishable by fine and imprisonment. The Workmen's Breach of Contract Act makes it criminal to break a civil contract and hundreds of workmen have been fined and imprisoned for refusing or failing to continue service.

Picketing or peaceful persuasion practised by strikers is recognised and legalised in all civilized countries and especially in England by the Trade Unions and Trade Disputes Act, 1906, but is, according to the Indian Penal Code, not lawful if there is any vestige of intimidation. Section 2 of the British Act of 1906 says—

> It shall be lawful for one or more persons acting on their own behalf or on behalf of a Trade Union or of an individual employer or firm in contemplation or furtherance of a trade dispute to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for purpose of peacefully obtaining or communicating information or of peacefully persuading any person to work or abstain from working

John Walton, the Attorney-General in the Campbell-Bannerman Liberal Ministry, introduced Trade Unions and the Trade Disputes Bill in 1906. He said in Parliament—

> I propose to say a few words on peaceful picketing which I prefer to call the right of peaceful persuasion What is the right of peaceful persuasion? It is an essential part of the right to strike How is it possible to strike unless you can persuade your fellows to join you? How is it possible successfully to conduct a strike unless you may persuade men who are introduced from a distance to interfere between the strikers and their employer? The right to persuade those who would naturally join and swell your ranks and the right to dissuade those who are brought in with a view to prevent the success of a strike is absolutely essential for the effective conduct of an operation of that kind The law at present is in a condition that, I think, I may fairly describe as impracticable if not absurd. How does it stand? It is held to be perfectly lawful to point out to the men what are the points of difference, but if you go one step further and so present the information you give them as to make your appeal in the nature of persuasion you are then violating the law.

Sir, my point is that even peaceful persuasion in its strict legal sense is not lawful in this country, *e.g.*, a striker says to a recruit, employed or about to be employed in his place, that he should not or must not join service and if he does, he will be socially boycotted. The master can have the man prosecuted for "intimidation" although a mere threat of social boycott is, as we understand in this country, non-violent persuasion. Take another case. A striker may inform a recruit that the master is a bad paymaster and very *zuberdust*. He is liable to prosecution for criminal libel although his statement may be perfectly true. Yet the Government of India says that it will not countenance picketing in any form. What is declared lawful in England is virtually unlawful in this country, that is, if employees care to set the law in motion. I maintain, Sir, there should be a distinct statute regarding Trade Disputes with clear provisions about picketing. So that strikers will know exactly where they stand and naturally refrain from acts of violence and extreme intimidation which have been to a certain extent practised during one or two recent strikes. A statute or a provision of this kind will create a moral effect on the mind of employers who will think twice before advertising for and admitting wholesale recruits as substitutes for strikers. In my humble opinion a statute of this kind will have deterrent effect both on the strikers, and the strike-breakers and the employers, and the public which has a very vague idea of picketing will also realise how far picketing can go and will naturally either co-operate with strikers or non-co-operate if violence is committed. Sir, I wish "labour" was purely a provincial subject as it should be and sooner or later, I think, the Reforms Act will have to be so modified as to make it a provincial subject. Simla or Delhi can hardly be expected to enter into the spirit of the industrial conditions of Bengal and neither is it safe to leave the discussion of a point arising out of industrial disputes to the Imperial Councillors whose knowledge of labour matters in Bengal is not only limited but whose chances of acquiring first-hand and reliable information is indeed very limited. Sir, I take the liberty of quoting an Hon'ble Member of the Assembly—Khan Bahadur Zahidudin Ahmed of Bengal—who opposed Mr. Joshi's very modest resolution on Trade Unions in India said—

> This resolution, if accepted by the House, will mean that the Government is going to take the responsibility of organising strikes against Capitalists. In our place there are no Trade Unions but attempts are always being made by agitators to come among the men and create trouble.

Mr. Joshi's resolution was—

> This Assembly recommends to the Governor-General in Council that he should take steps to introduce at an early date in the Indian Legislature such legislation as may be necessary for the registration of Trade Unions and for the protection of Trade Unionists and Trade Union official from civil and criminal liability for *bonâ-fide* trade union activities.

The Government accepted the resolution slightly amended, viz.—

This Assembly recommends to the Governor-General in Council that he should take steps to introduce as soon as practicable in the Indian Legislature such legislation as may be necessary for the registration of Trade Unions and for the protection of Trade Unions.

Admitting that nobody will find fault with peaceful persuasion, the question is—What is peaceful persuasion and how far can it be tolerated?

It is no use taking the British model as definition of picketing as social conditions are very different out here. In England most of the workmen are self-respecting and keenly appreciate the value of trade combinations and will not easily accept jobs in place of strikers. A British workman knows that it is morally wrong to be a black leg and a strike breaker and will naturally think seriously before he jumps into any bargain. Out in India where there is plentiful supply of ordinary workmen who desert the plough for the glamour of the city or its suburbs, no matter whether wages are at all attractive. Out in Bengal we have thousands of up-country workmen who are not friendly to the Bengali workmen and *vice versâ*. In case of a strike the feeling of unfriendliness will lead one to take the place of the other and companies take advantage of this and substitute Bengalis for up-countrymen and *vice versâ*. I say that the social conditions are entirely different out here. Peaceful persuasion requires more clear definition. I would include social boycott, such as, stoppage of barbers, stoppage of supply of foodstuffs by shopkeepers, as peaceful persuasion. Sir, this weapon of social and religious ostracism what we call in Bengali *hooka pani bund* or stoppage of hooka and water and *ak ghorey, viz.*, cornering a man and cutting all social connections is indeed effective and non-violent. I plead, Sir, that it is the genius of our race to adopt this extreme measure against and inflict this penalty on a bad man or an evil-doer. Sir, in my opinion there cannot be any worse moral offence than any attempt to snatch the bread of his comrade specially when the latter is engaged in fighting not for himself but for the whole community of his class. Indian public opinion is always on the side of honest strikers and should stand firm for protection of wage earners and elevation of the economic position of the helpless, thoughtless and friendless *Sramajibee Sampreadaya, viz.*, the working classes of Bengal.

In conclusion, I maintain that unless you confer a special right of this description to our workmen who have neither funds nor brains nor true friends, all strikes in favour will be, as soon as the present political unrest dies out, unsuccessful and subdued by starvation. Wages will not rise, standard of living will remain abnormally low, workmen will remain inefficient and eventually revolt against social and economic order of things and will undermine the very foundation of self-government which we are engaged in building to-day.

Mr. R. M. WATSON-SMYTH: After the somewhat gruesome picture which the hon'ble member has drawn of me and of my colleagues from the Bengal Chamber of Commerce, describing us as the great dreadnought Jaggernaths of capitals rolling over and crushing out the life of the poor workers, I am rather diffident even to rise before this Council to give my side of the story and I can only assure hon'ble members that we are not nearly as black as the hon'ble mover has painted us.

I think that it is incumbent on all to recognise courage when they see it, but courage that is tempered with discretion is in all cases preferable to courage by itself. I do not think that any one will doubt the courage of the hon'ble mover in moving a resolution to legalise picketing just now, but his discretion is open to doubt. Picketing after the recent occurrences, and I use again the expression of Mr Gandhi, stinks in the nostrils of law-abiding and peaceful citizens, and yet this is the time selected by the hon'ble mover for asking this Council to recommend that picketing shall be made legal. We have heard a great deal from the hon'ble mover about the English law of picketing, but may I suggest that you look at the English law a for moment through my spectacles? As you all know, the question of picketing was dealt with by the Trades Dispute Act of 1906 and although I have here a note of the exact clause, it has already been read to you by the hon'ble mover and so I will not repeat it It has been recognised in England, for many years now, that this clause is most difficult either to construe or to observe. Persuasion covers a multitude of methods and the dividing line between persuasion and intimidation is extremely thin Even in England, after all these years, there is a considerable amount of doubt as to what a picket may do under this clause and what he may not do. Picketing as is usually understood can be effected by various methods and I do not think that there is any doubt that now-a-days it is understood that picketing would be ineffectual unless accompanied either by intimidation or restraint Actual violence of course is not necessary to establish restraint or intimidation. I feel quite confident in saying that had this clause in the English Trades Dispute Act not been inserted in 1906 it would not be inserted now It must be remembered that before 1906 a certain well-known legal decision was given which seriously affected the financial position of certain trade unions and which aroused a considerable amount of sympathy even amongst those who by circumstances were not inclined to sympathise with those unions. A Liberal Government was in power and was anxious to bind the labour party close to them. The swing of the pendulum was taken advantage of to a full extent by the labour party and the Trades Dispute Act was passed in a form in which I feel confident it would never have been passed at any other period. In England picketing has proved a very great difficulty and it is never effective in its proper legal form. If it is really peaceful, the public will have none of it. If it is not peaceful, the Government have to deal with

it, both with the police and, if necessary, with the armed forces of the Crown. The general public at home have a great sense of right and wrong, and though they are prepared to allow a man to strike if he wants to, they are equally determined that he shall have the right to work, if he wishes to work. Two very good instances have occurred during the last two years. In the railway strike of 1919, picketing was quite peaceful, except perhaps in the case of one or two large cities, and the whole strike was carried out with absolute order. The result was that, from the strikers' point of view, pickets were entirely ineffectual; they were most unpopular with the general public who demanded that if any railwayman wanted to work he must be allowed to work. The result was that, owing to public opinion, pickets vanished and after the second day of the strike there was scarcely any evidence of picketing at all. The coal strike, however, was entirely different. It was carried out with grave disorder and the pickets consisted chiefly of large bodies of men armed with sticks and other weapons whose intention was not only to intimidate but drive out by force those who had gone back to work. It must be remembered that it was chiefly directed against those men who manned pumps and they were successful to a great extent in driving them out, with the result that many mines were ruined. These pickets although to start with they were effectual in an illegal way, became ineffectual because they were dealt with by the Government as breaches of the law.

Now the hon'ble mover wishes to transfer this unfortunate law to India If it can be truly said that peaceful picketing in England is ineffectual, I do not think that any one, unless blinded by prejudice, will deny that peaceful picketing in India is an impossibility. The Indian of the working class, as a good many of us know from experience, has taken very kindly to picketing but he has only one method of doing it. It is no use talking to him about persuasion and soul-force. His only idea of soul-force is what Mr. Sarkar of the Bar Library wittily described the other day as a thing about three feet long and studded with brass nails. Then, again, if this law is transferred to India, employers also will have the right of picketing. That has never been done so far out here but they have the right under the English Act and no doubt would use it here as far as the Act allowed them. This is what would follow. In the case of a trade dispute the willing workers would be picketed by the strikers and the strike pickets would be picketed by the employers. Can anything shape for a better row than that? What is the use of talking about peaceful picketing? You might just as well shut up two Kilkenny cats together in a room and tell them to lie quietly before the fire. No, Sir, picketing is a thing that should be discouraged and not legalised. It is a system that has had a fair trial and has proved either ineffectual or disastrous. Picketing in India is not confined as we all well know to trade disputes, nor, I suppose, will it ever be possible to isolate it in that way. Picketing has become recently almost a part of our daily life and as it has trespassed so far into politics, why

should it not trespass into the field of elections? How will members of this Council like it if picketing is encouraged? How will they like to fight for an election with themselves and their supporters carefully picketed by the other side? And why stop at the elections, why not carry it right into this Council itself? And here, I admit that we Europeans might gain something to our advantage in that. We, officials and non-officials, are in a hopeless minority in this Council when it comes to voting, but if peaceful picketing were allowed, perhaps some of the gentlemen of this Council would find it rather difficult to get to their seats in time to register their votes if they had to pass a peaceful picket, which peacefully but firmly opposed the entrance of this Council of anybody who disagreed with their views.

But seriously, Sir, I say again that picketing should be discouraged and not legalised. Picketing is nothing more or less than tyranny. It is the attempt of certain men who think one way to coerce all who differ with them and force them to do what they do not want to do. It leads to nothing but riot and disorder and surely we have had enough of that. This is a democratic age and can you imagine anything more undemocratic than picketing? Democracy preaches self-determination and the right of every man to think for himself and to do as he likes within the limit that the law allows. If a man wishes to strike, I and my colleagues all admit that he has the right to do so, but if a man wishes to work, I maintain that no one should have the right to attempt to interfere with him.

Of course, as the hon'ble mover has said, legislation of this kind must be Imperial and not Provincial, and I have no real anxiety as to whether this will be undertaken or not by the Imperial Government. At the same time I trust that this resolution will not be passed by this Council. In fact, I hope that the hon'ble mover will not even go so far as to push it to a division.

Mr. D. C. GHOSE: I rise to oppose the resolution which has been moved by the hon'ble member who has been nominated by Government to represent the interests of Labour in this Council. He will forgive me, I trust, if I venture to characterise his resolution as an audacious proposal. And the reason why I so characterise it is because he, with a fine disregard of the circumstances under which many of the strikes are taking place and the methods by which they are continued, has actually come before this Council to ask for legislation so that picketing on the part of a striker may be made lawful. The ground upon which he urges us to accept his proposal is that there is in existence an English Act which has made picketing lawful on the part of a striker and, therefore, *ipso facto*, there must be an Indian Act upon similar lines. His argument, therefore, reduces itself to this that because a particular legislation or policy is expedient and vital in certain definite circumstances in England, therefore, it must be equally expedient and vital in a completely different set of circumstances in India. Now, I would like to ask the hon'ble mover

of this resolution if he has seriously considered the dire consequences which might result from our acceptance of his doctrine. Are we to ignore altogether facts, circumstances, conditions and all the other important factors necessary in the consideration of a subject and only apply by what has been described as "mere untempered and cast-iron logic," conclusions that have been found suitable elsewhere? If such be the object and intention of the hon'ble mover of the resolution, as I am afraid it is, then the only answer we can and ought to give is to say that we repudiate his doctrine.

Sir, I am surprised that the hon'ble member, the mover of the resolution, should ask us to blindly copy English legislation. Let the Council consider for a moment the recent strike of some of the employees of the Calcutta Tramways Company. What was the issue in that strike? The issue, so far as I could gather, was that the Tramways Company were not entitled to dismiss or otherwise punish their employers even when there was evidence which satisfied the Company that they were dishonest. That was the issue, that was the cause of quarrel between the Company and the strikers. Now I ask the hon'ble member, the mover of the resolution, if it is his desire and intention to aid, assist and support strikes of this kind based upon the flimsiest and most absurd grounds by securing legislation which will enable strikers to resort to picketing with impunity? Does he realise that strikes of this nature, if they are encouraged and supported by the legislature, will soon reduce the existing social order in this country into a state of utter confusion and chaos? Is the hon'ble member unaware of the amazing disclosures by some of the strikers in the Assam-Bengal Railway strike? Are not those disclosures, supported by documentary evidence which has neither been contested or disproved, a great eye-opener for all? And is he prepared after all those disclosures, with full knowledge of hideous facts, to recommend to us that we should pass legislation which would have the inevitable effect of enormously strengthening the hands of mischief makers and revolution mongers? Sir, I am somewhat amused at the terms of this resolution. The hon'ble mover has asked us to legalise what he is pleased to describe as "non-violent picketing." Well, to speak of non-voilence in connection with the picketing by a striker is to use the words of His Excellency the Governor "a pitiful travesty of language." We have had so many instances lately of what is called non-violent picketing, that it is quite unnecessary for me to bring home to this Council, the truth of what His Excellency has said.

Sir, the time may come when Labour in this country may be so organised and so controlled by wisdom and commonsense that a proposition of this kind may be considered—I will say nothing about its practicability even then. But that prospect is remote and the present time, I venture to think, is most inopportune for broaching this question. In view of the strife, conflict and unrest with which the air is surcharged, we want peace and not any legislation which might strengthen the forces

of coercion and disorder. That is the danger which looms before us in the event of the adoption of this resolution and I devoutly hope the Council will set its face against this proposal.

Dr. HASSAN SUHRAWARDY: I have every sympathy with the working classes and will most gladly support recommendations to improve their social and economic condition and to develop labour unions in right direction.

I had the pleasure of being associated at work on the Industrial Unrest Committee with Mr. Krishna Chandra Ray Chaudhuri, and have much regard for the hon'ble member representing Labour. But I am afraid, I have to oppose this resolution because I am satisfied, it will not advance the cause of the working classes.

I come daily in intimate touch with large number of workmen and I have not only acquired some knowledge of their physical disabilities but also have had opportunities of watching their mental and intellectual condition. In my opinion neither the unions nor the labouring classes in India have at present advanced far enough to put on the lines of their British prototypes. The foreign plant requires careful acclimatising in its new surroundings and altered conditions of life. If we try to rush matters, it will either wither and fade away entirely or certainly result in a stunted growth.

The hon'ble mover of the resolution will agree with me that in the British Isles the conditions are different to what obtains in India. The Labour member in England is elected by a Labour constituency, but our members in this country are nominated by Government and one of them at least is not strictly a "working man." This altered condition has been thought expedient on account of the different conditions of the two constituencies. It is thought that a large majority of them in India will not use the franchise in the best possible manner. Therefore, picketing, which might have been successfully used as a non-violent weapon by the labourers of European countries, will not be an unmixed good in this country. The broken legs, cracked skulls, black eyes and swollen faces that have been treated early this year in the hospitals under me at Lillooah and Bamangachi and elsewhere are proof positive of the violence that is invariably resorted to by our uneducated labourers.

Indeed, Sir, violence to them is the only effective weapon of conviction. Intimidation their strongest argument.

During the beginning of the recent tramway deadlock we heard much of the non-violent nature of the strike; but like all other strikes, there has been violence and intimidation. *Lathi* blows, and hurling brick-bats and even the dastardly attempt of "acid throwing" at those who will not join the strike by gentle persuasion.

"Strike" the Indian workmen translate in their vernacular as meaning to *maro* (beat) and strike without the privilege of beating those that do not agree with them is an absurdity in their minds.

The so-called Labour leaders have so far been led by Labour and do not lead them. The *vis a tergo* is too strong for them, and the back pressure of their so-called followers pushes them into any alley which the line of least resistance chooses. I have not yet come across the Labour leader at whose word of command they will stay their hands when they are out for an affray or *mar-pit*. To mislead is easy, but to lead them is a very difficult work. A child can put a match to a gunpowder magazine, but to stop the effects of the inevitable explosion is a different matter.

The non-violent doctrine of *satyagraha* preached by so great a personality as Mahatma Gandhi fell absolutely flat on the ignorant masses; and their inordinate violence was condemned in no mild terms by the Mahatma himself. The propaganda of non-violent non-co-operation coming even after the lesson taught by the *satyagraha* movement has unfortunately assumed a most violent form of interference with people's right of free thinking and liberty of dress. The Mahatma is now as a penance keeping fasts and shedding tears and praying for his sinning followers. When passive resistance preached by a great leader with the halo of religious sanctity round him, can degenerate into a most active form of meddlesome violence, does the Labour member think that he or any Labour leader, he knows of, will perform the miracle that the Mahatma himself has failed to demonstrate?

The hon'ble member is a sound practical man and I am sure he will agree with me that the proposal at present is premature and can wait a little longer and this resolution should be withdrawn.

While Khilafat volunteers are declared illegal, can Labour volunteers be legalised by Government?

The mover has said that the Trade Unions in India are on a better standing to-day than those of England. The Government member is in possession of facts and he will say what their relative position is.

At the present moment a memorandum from the Government of India, Department of Industries, regarding the subject of registration and protection of Trade Unions is engaging the attention of local Governments and Administrations and the Board of Industries for Bengal, on which I have the privilege of serving, is now considering this and in this memorandum there are extracts from the Trades Union Act of 1871, Protection of Property Act of 1875, and Trades Dispute Act of 1896. These disclose that picketing, as far as India is concerned, is under present conditions undesirable as it invariably leads to violence. I therefore oppose this resolution.

Babu HEM CHANDRA BHATTACHARJI addressed the Council in Bengali, supporting the resolution of Mr. Krishna Chandra Ray Chaudhuri.

Mr. W. L. TRAVERS: I rise to oppose the resolution. Many of the arguments which I intended to use have already been employed—far better than lies in my narrow compass—by the previous speakers. But there are one or two arguments on which I desire to lay some stress. First of all, if this resolution is carried into law, it would mean the loss of individual personal liberty. At present in this country the individual working man has the right to sell his services where and to whom he pleases. Legislation has taken away from the working man at home all that right and many thinking men among the Labour leaders are not at all certain that they have gained any advantage therefrom. This year I have been at home and I have had the opportunity of observing the situation during the mining strikes and have seen some of the so-called peaceful picketing. The miners' peaceful picketing consists either of a large lump of coal or a big lump of granite, which he uses invariably upon anybody who wishes to work at the mines which the Union has closed down. For 21 years I have been a planter in northern Bengal and for the past 11 years I have resided upon one estate and I can say honestly and with all sincerity that from my point of view, and it is the point of view of every person living in the Duars, that the relations between ourselves and our employees are of regard and affection. We do everything that we can—much more than we should do from a purely business point of view—to improve their welfare. From a more general point of view also the tea industry does its best for its employees and now that the tea industry is improving it is giving coolies more opportunities for earning money. There will come shortly before the Council a Bill for the constitution of a Board of Health to which tea-gardens will contribute in order to improve the sanitation and health of their people. All this is being done without unions and without picketing; but should there come, which God forbid, trade unions and picketing among tea-garden labour, I say, the coolie will be far worse off than he is at present and hard business will then control the relationship between tea-garden employers and employees. Therefore, I beg, with all the emphasis at my command, to implore the members of this House to refuse this resolution.

Mr. SYED ERFAN ALI: I have the pleasure to support the resolution moved by my friend, Mr. Krishna Chandra Ray Chaudhuri. I think Mr. Chaudhuri has made it perfectly clear that the position of the members of Trade Unions and of strikers in the eyes of the law is indeed very unsatisfactory. As the President of the Tramway Employees Union, I have realised that it is terribly risky for any set of workers to strike, even if they have real grievances. So far out of the poor wages they receive, the members of Trade Unions are unable to subscribe to any fund for strike pay. I agree with my friend, Mr. Chaudhuri, who has experience of strikes not only in this country but also in London—when he was Secretary of the Indian Seamen's Institute—that the

workers in this country are helpless, friendless and fundless just as the raiyats in this country. The Government have thought fit to pass such beneficial Acts as the Co-operative Credit Societies' Act for the protection of the raiyats against the money-lenders and it is equally incumbent on the part of the Government to protect the workers who are exploited by capitalists just as much as the raiyats by the *mahajans*. It is therefore necessary that there should be legislation on Trade Unions and Trade Disputes on the lines suggested by Mr. Joshi in the Legislative Assembly and Mr. Chaudhuri to-day. The British Parliament, ever since the advent of the Labour party, has repealed the several penal laws passed with connivance of the capitalists to penalise British workmen and it has enacted several protective laws for the preservation of Trade Unions and Associations. I therefore appeal to Government and the members of this Council to consider this question from the Labour point of view. I strongly support this resolution. In reply to my friend, Mr. D. C. Ghose, I only ask him to learn the grievances of the tramway employees. I am not going to deal with this subject just now, but my friend will know them later on when he will read the grievances of the tramway people.

Babu NITYA DHON MUKHERJEE: This is the first time that an hon'ble member of this House has thought fit to introduce an English law into Bengal, and it is most unfortunate that, of all the laws, he has chosen one which proposes to give a license to *goondaism* in Bengal. My friend, the mover, has defined picketing as a sort of non-violent persuasion. Picketing pre-supposes non-violent persuasion. The word "persuasion" pre-supposes an active part on the part of the man who persuades. The result of non-violent and inactive persuasion has already been felt throughout the whole of India and I am sure that every one is sorry for it. Whoever will support this resolution will have afterwards to express sorrow if this motion be carried at all. I am a resident of Howrah and had the honour of presiding at a meeting of strikers at Howrah, consisting of about 5,000 men, and told them not to interfere with those who go to work against their wishes and not even to speak to them who have not joined the strike, but to live quietly and to let their employers do what they liked. After the meeting was over some of the leaders of the strikers approached me and said—*Babu Saheb, hamlok kuch nai bolega, laken jo koi kamme jaiga oska pau tor daga.* That was their idea of non-violence, and in fact the very next day some lorries were reported to have been looted of their contents in front of the Magistrate's house. That strike, however, has come to an end now, and I mentioned this incident as a specific example of non-violent persuasion.

Then my hon'ble friend talked of the Workingman's Act as special weapon of the capitalist and employer against the employed, but the Workingman's Act has no application to this sort of cases. This Act

applies only to cases in which certain persons taking some advance from the employers, enter into an agreement with them to do certain work within a certain period at a certain rate. If he breaks that agreement, he is liable to punishment or in the alternative he is liable to do the work according to the terms of the agreement. Therefore, that argument does not apply to the present case

Then, my friend has said that the funds and the brain of the Chamber of Commerce are very great, but unfortunately both the funds and the brain of the Trade Unions are very small. He further argued that time may come when either by legislation or by strong public opinion the sources of income may be stopped.

The question of legislation does not arise as there is no such proposal. If my friend thought that the public opinion may be so strong in time that the sources of income may be stopped in that case the best course would be for my friend to withdraw this motion.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: May I rise to explain that the funds are not subscribed by the public, but by the members of the Unions?

Babu NITYA DHON MUKHERJEE: Then my friend, Mr. Chaudhuri, has said that by peaceful persuasion he meant social punishment which the strikers may resort to if others go to work against their wishes He has also argued that, now when the employees of Bengal go on strike other employees from the United Provinces or other parts come forward to take their places, and that this legislation is necessary to stop that sort of thing by legalising the picketing by the strikers That argument goes against the theory that social punishment will be used as peaceful persuasion, because the strikers in Bengal cannot use it against the workers from the United Provinces or other parts of the country I, therefore, earnestly hope that my friend, in order to save the heads of those who live amongst the coolie population, will withdraw his resolution.

Babu SURENDRA NATH MALLIK: I congratulate the Labour member for the courage of his conviction and the anxiety for the labouring classes that he has shown in bringing this resolution before the House, being himself a nominated member. I do not know whether he will be nominated again after this. But I must confess that I must give my verdict absolutely against the propriety of his bringing the present proposal in these troublesome times. He is, I am afraid, recklessly trespassing on dangerous ground. The name of picketing itself should have acted as a red flag to him to show that he ought not to proceed in that direction particularly in these days. I am quite sure that he is very sincere in his anxiety for the class whom he represents here. This, I take it, is a mistake of judgment, for which, I am sure,

my good friend, Mr. D. C. Ghose, has given him too much concord. But I think that after the opportunity he has had of listening to the speeches of these gentlemen who are primarily concerned with the Labour question, I have not the slightest doubt that he will find his way to withdrawing the proposal. I would like to point out a few things which, I hope, will not be repetition of anything already said—and these things he should have considered before bringing this resolution before this House. The first is the gross ignorance of the labouring classes and their inability to form correct judgment in many cases. India is not England where all the labourers are educated. This is not a place where you can bring down every idea and try to engraft them in the minds of your countrymen. First educate your labourers and then tell them to combine and put down these capitalists in no time. The labouring classes have my earnest sympathy. I feel for the man who goes down 400 or 4,000 feet below the surface of the earth and does not get enough for his food. I do not like that sort of man who practically does nothing but walks about—I have no sympathy for them; but my heart goes with those men who cannot get a good square meal after working day and night even below 400 feet in a mine. Therefore, I say, educate, educate them: qualify them for it. Your duty as a member representing the labouring classes is to constantly agitate for the education of these men: bring them up to your own level and then only and not till then can you rest assured that they will do nothing which you would not like them to do. Go on fightng with the Government for their education and with these gentlemen (employees of labour) for more food for them.

I do not think that it is proper to discuss this matter in this Council in these days. You do not know what view the people outside in their imagination will take of your conduct in this connection: it is no good discussing these things now. Surely, you must remember that India is not England and the difference between India and England is that in England the employers and the labourers are both *Engraj* and they are of the same *jat*, they are of the same religion and of the same complexion even; and that makes a world of difference; in England there is not the slightest chance of a clever man somehow or other bringing in the question of race hatred; whereas here there is always the danger and there are places where you cannot avoid it. Here in India you have one caste as the employers and the labourers are quite a different caste from all conceivable points of view. Do not try this experiment, do not play with fire; do not go with a lighted cigarette in your mouth into a gun powder vault—that is not at all proper. I say, please do not import everything that is English. I do not like that. They have already imported many bad things for us—have they not? Drinking for instance; gambling for instance. If I had the power to put a stop to these things I would do it in no time. These are English habits and do not please introduce them here. I think that after you think over all these matters you will agree with me that it is no good introducing English laws and

particularly at this time we ought not to discuss the matter. I hope that Mr. Chaudhuri will withdraw this resolution.

The Hon'ble Mr. KERR: I am sure that the Council will agree with me that we have had a very interesting discussion this evening; but I am afraid that there has been a tendency for the discussion to wander somewhat from the direct issue before us. This resolution recommends that legislation should be undertaken on the lines of the British Act which recognizes the right of a striker to resort to non-violent picketing while a strike continues. Whether we should have legislation on the lines of the British Act is the issue on which this Council will have to give its decision in a few minutes.

Now, from the speech made by Mr. Chaudhuri and several other speakers, there would seem to be an impression that the British legislation is confined to a few lines in the Act of 1906, but that is not the case at all. The main English legislation on the subject of picketing is contained in the Act of 1875. That Act is still the law of the land in England, although it has been supplemented and somewhat modified by the provisions of the Act of 1906. Now, the Act of 1875 definitely makes it a criminal offence for a workman or a striker in the course of a strike or in furtherance of a trade dispute to do certain acts. Among these actions are included the use of violence or intimidation whether towards the other person directly or to his wife and children, or injury to his property; persistently following another person about from place to place; or hiding his tools or other property or depriving him of the use of them, or hindering him from using them, watching or besetting the house or other place where such other person resides or works or carries on business or happens to be, or the approach to such house or place; or following such other person with two or more persons in a disorderly manner along any street or road.

That is still the law of the land in England, and I say that that law is very much more severe than any law that we have at present in this country where picketing is mainly governed by the abetment provisions of the Indian Penal Code. If Mr. Chaudhuri wants us to introduce the English law, he will have to introduce the provisions of the Act of 1875 as well as those of the Act of 1906.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: May I point out that the section——

The DEPUTY-PRESIDENT: You should not interrupt the Hon'ble Member. You will have your right of reply.

The Hon'ble Mr. KERR: I may say that the actions I have already mentioned are quoted from the Act of 1875 and are still in force in England. The Act of 1906 repealed a small portion of the Act of 1875, but

I have of course omitted the repealed portion from the summary I have given.

The Act of 1906 was a curious Act, and Mr. Watson-Smyth has alluded to the circumstances in which it came to be passed. I do not think that I need worry the Council by going into English political history relating to this Act, but briefly it was the result of pressure which the Labour Party in Parliament was able to bring to bear on the British Government in 1906.

I have here some remarks made by distinguished authorities on the Act of 1906; and I think I had better tell the Council briefly what they say as that has an important bearing on this proposal that the British Act of 1906 should be introduced in India.

My first authority is Dr. Shadwell. He is a distinguished economist and in his book on industrial efficiency, which is a comparative study of industrial life in England, Germany and America, he calls the Act of 1906 a flagrant piece of class legislation which can only be called a gross abuse of power. He says that the Act was the direct result of political pressure brought to bear upon a weak Prime Minister and that it violates all principles of justice and equity, and is unjust, inequitable and undemocratic. He gives various instances showing how trade unions have misused the powers thus conferred upon them to the detriment of their own members as well as of non-members, and in disregard of the advice of their own officials. This is the testimony of a distinguished economist.

My next authority is Lord Askwith who is, I believe, regarded by Mr. Chaudhuri with as much admiration as by me. He says that the Act "has been used to shield some acts by individual officials which, in the interest of the community, might well not be shielded under the cry of proposed infringement of privileges of a trade union. It has also caused a bitterness of feeling against many actions of trade unions which sensible laws would not have touched, in the belief that, but for the Trade Disputes Act, they ought to have and would have been made amenable to results every one else had to risk. Class feeling on the part of employers has been increased by suspicion and anger at its supposed effects, often quite irrationally. The people as a whole have a grudge against presumed privileges being accorded to one section of the community." Therefore, according to Lord Askwith the result of the Act of 1906 has been to increase bitterness of feeling in England.

My next authority is Mr. Sydney Webb whom nobody will suspect of being prejudiced against trade unions. He says that "the Act confers on trade unions an extraordinary and unlimited immunity, however great may be the damage caused and however unwarranted the act, which most lawyers and employers regard as nothing less than

monstrous." He also advises trade unions not to presume too much on their apparently absolute immunity from legal proceedings under the Act. This is the testimony of three distinguished and impartial authorities as to the result of the Act of 1906 in England. This is the Act which Mr. Chaudhuri comes to the Council and asks us to introduce in India. The testimony is such as should make us extremely cautious in applying the English law to India.

As to the merits of the case in its application to Bengal I need not say much. It is obvious that the general sense of the Council is that it would be in the highest degree inappropriate to legislate at the present time on the lines suggested in the resolution. Mr. Chaudhuri has been supported only by Babu Hem Chandra Bhattacharji and Mr. Syed Erfan Ali, the distinguished President of the Tramway Union who lately led his men up a very steep hill and then led them down again. I should like to hear Mr. Syed Erfan Ali's ideas as to the application of Mr. Chaudhuri's principles to the conduct or misconduct of the tramway strikers during the recent strike. As a matter of fact this question of picketing is being considered by Government at present. The Government of India has sent us a long letter on the subject of the law applicable to trade unions in India or rather the law to be introduced in India. In that letter there are various references to the question of picketing. We have circulated the letter not only to Chambers of Commerce but also to trade unions and other public bodies in Bengal. We have not yet got replies from the bodies who have been consulted and we have not, therefore, made up our mind exactly what line we are going to take on the question of picketing. But I think there can be no question that the reasons which I have given this evening clearly show that legislation on English lines would be entirely unsuitable. Whether legislation on other lines in extension or amplification of the provisions of the Penal Code in regard to the question of picketing is desirable, is a matter on which I desire to reserve my opinion for the present. But the Government is distinctly of opinion that legislation on the lines proposed in this resolution would be unsuitable, and we are, therefore, unable to accept the resolution. I would only ask the Council, in conclusion, to consider very seriously the effect which would be produced upon the Indian Legislative Assembly and other bodies of the kind, if the Bengal Council at the present time deliberately recommended a proposal to undertake legislation on the lines of the British Act of 1906.

Mr. R. H. L. LANCFORD JAMES: I move that the question be now put.

The DEPUTY-PRESIDENT: I think it is fair to give the mover a chance of reply.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: In deference to the wishes of Babu Surendra Nath Mallik who is a great friend of the working class, Dr. Suhrawardy and the Hon'ble Mr. Kerr, I beg leave to withdraw the motion.

The motion was then, by the leave of the Council, withdrawn.

Adjournment.

At this stage, it being 7 P.M., it was found, on a count of the House, that there was no quorum. The Council was accordingly adjourned to the next day at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council assembled at 3 P.M. on Thursday, the 24th November, 1921, in the Council Chamber in the Town Hall, Calcutta.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 92 nominated and elected members.

Starred Questions

(to which oral answers were given).

Extension of service to Rai Sahib B. M. Gupta.

*XXIX. **Mr. SYED ERFAN ALI:** (*a*) What were the reasons which led the Government to refuse extensions of service to Messrs. Young Craig and D'Santos, lately Registrars in the Secretariat?

(*b*) What were the reasons which led the Government to grant three extensions of service to Rai Sahib B. M. Gupta, Registrar of the Chief Secretary's Office? Is it a fact that he is being given a fourth extension?

(*c*) Is the grant of three extensions contrary to the circular orders of Government?

(*d*) Is the Hon'ble the Member in charge of the Appointment Department aware of the feeling that exists that the grant of frequent extensions mar the prospects of junior officers and create disaffection among them?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) Under article 459 (*b*) of the Civil Service Regulations retirement at the age of 55 is the normal course. It is not necessary therefore to assign reasons in the cases cited.

(*b*) The Rai Sahib possesses special knowledge and experience in ceremonial matters, and in view of the visits of their Royal Highnesses the Duke of Connaught and the Prince of Wales, his retention in the service was considered advisable on public grounds. For the same reason a further short extension is being allowed him to enable him to enjoy the privilege leave which he has earned, since it has not been found possible to grant him this leave before the conclusion of the Prince's visit.

(c) No.

(d) The possible effect on the prospects of junior officers is always given full consideration before an extension is allowed, and as a matter of fact extensions are now very seldom allowed and not unless exceptional reasons exist.

Murshidabad Settlement.

*XXX. **Maulvi EKRAMUL HUQ:** (a) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether the Standing Committee on Land Revenue was consulted before the order for stopping the Murshidabad settlement was passed?

(b) If the answer to (a) is in the negative, will the Hon'ble the Member be pleased to state the reasons for not consulting the Committee?

(c) Will the Hon'ble the Member be pleased to state what expenses have been made in connection with the Nadia-Murshidabad settlement from January to June, 1921, and how much has been realized within the period?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (a) The answer is in the negative.

(b) It is at the discretion of the Member in charge as to what matters should be brought before the Standing Committee; it was not thought necessary to refer a matter of such detail to the Standing Committee, especially in view of the fact that the question of retrenchment had to be decided immediately and orders issued without delay to the Settlement Department to enable them to distribute the staff for settlement operations in the most important centres.

(c) The expenditure from January to June, 1921, has been as follows:—

Survey—Nadia, Rs. 5,538; Murshidabad, Rs. 32,795.

Settlement—Nadia, Rs. 3,30,892; Murshidabad, Nil.

Nothing was realised during this period.

Bengal Cadets in Sandhurst College.

*XXXI. **Mr. BIJOY PROSAD SINGH ROY:** Will the Hon'ble the Member in charge of the Political Department be pleased to state how many cadets from Bengal were recommended by the Government, and how many joined the Sandhurst College in England, since 1918, giving names and particulars of the cadets?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Henry Wheeler): Recommendations were made not by Government but by His Excellency the Governor personally. Six candidates were nominated in 1918, four in 1919, five in 1920, and two in 1921. Of these only one entered Sandhurst; entry is conditional on the passing of a qualifying test and the occurrence of vacancies. His Excellency does not propose to publish the names of the unsuccessful nominees.

Middle class unemployment.

***XXXII. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware of the question of unemployment among the educated middle class of Bengal?

(*b*) Are the Government considering the desirability of holding an inquiry to ascertain the number of the unemployed in each district?

(*c*) Are the Government taking any other steps to deal with the present state of affairs?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Government are aware that a certain amount of unemployment exists among the educated middle classes of Bengal.

(*b*) The answer is in the negative.

(*c*) The policy of the Government is to deal with the problem by opening up new fields of employment for the educated middle classes, and with this object Government have given, or are giving, effect to a number of important schemes such as the creation of the Department of Industries with a permanent director at its head, the establishment of technical schools for the training of apprentices at Kanchrapara and Calcutta and the establishment of an Agricultural Institute at Dacca.

Eden Hindu Hostel.

***XXXIII. Maulvi A. H. M. WAZIR ALI:** (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that recently each boarder of the Eden Hindu Hostel, Calcutta, was supplied with a new chair and a new half-secretariat table?

(*b*) Is it a fact that the contract for the supply of the said articles of furniture was given to Mr. S. Roy, of 42, Sikderbagan Street, Calcutta; what was his charge for each chair and each table; and what was the market price for each chair and for each table?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) Yes

(*b*) Yes. The charge for each chair was Rs. 10 and for each table Rs. 20-8-0. Several firms were asked to submit tenders: the estimate of Messrs. S. Roy and Co. was lower and for better articles than those of other firms that tendered. It may therefore be assumed that the prices paid were fair market terms.

Unstarred Questions

(answers to which were laid on the table).

Sub-assistant surgeons.

89. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) why the term of the Declaration Bond to be executed by sub-assistant surgeons in Bengal has been increased from five to ten years;

(*ii*) since when have these bonds been issued;

(*iii*) how many sub-assistant surgeons have been appointed as probationers since the introduction of these ten years' bonds; and

(*iv*) how many had been appointed before such introduction?

(*b*) Is it a fact that there is a great demand of sub-assistant surgeons in the province?

(*c*) Is it a fact that many of the sub-assistant surgeons have not signed the new bonds on account of the conditions of the bond?

(*d*) Are the Government considering the desirability of reducing the period of ten years to five years as previously?

(*e*) If the answer to (*c*) is in the negative, are the Government contemplating permitting those probationers already in service to execute bonds for five years only?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*) (*i*) In paragraph 84 of their report, the Medical Services Committee recommended that, in the case of Civil sub-assistant surgeons, the period of liability to remain in Government service should be extended to 10 years, and that the penalty in case of default should be increased from Rs. 400 to Rs. 1,000, in order to ensure that a sufficient number of sub-assistant surgeons could be made available as a war reserve for service, not only in India, but also overseas. The Government of India, after consulting the opinion of local governments, decided to accept this recommendation, and amended the form of the bond accordingly.

(*ii*) The order of the Government of India introducing the revised form of the bond is dated 31st of August, 1920. It was communicated to the Surgeon-General with the Government of Bengal on 27th September, 1920.

(*iii*) Only one has been admitted into the service, since the introduction of the new bond.

(*iv*) The question gives no time-limit and cannot therefore be answered.

(*b*) Government have no difficulty in obtaining all the candidates required.

(*c*) The answer is in the negative.

(*d*) No.

(*e*) Temporary sub-assistant surgeons who entered the service before the introduction of the new bond asked for permission to sign the old bond, and the necessary permission was given.

Wordsworth Committee.

90. Rai MAHENDRA CHANDRA MITRA Bahadur: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state when effect is to be given to the recommendations of the Wordsworth Committee for increasing the pay of the clerks of the lower subordinate and those outside the grade section of the Educational Service?

The Hon'ble Mr. P. C. MITTER: With the exception of a number of definite posts in that service it was decided to defer a *decision* with regard to the recommendations of the Wordsworth Committee for the revision of pay of ministerial officers until the report of the McAlpin Committee had been examined. That work is proceeding. It is not possible at this stage to mention any date for the issue of final orders on the subject.

Cancellation of licenses for hackney-carriages, shops, etc., for abrupt closure of their business.

91. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) which of the municipalities have expressed their inability to comply with the suggestions made in the Government letter No. 229-33 T.—L.S.-G., dated the 13th June, 1921; and

(*ii*) the names of the municipalities that have adopted the suggestions in the said letter?

(*b*) Is the Hon'ble the Minister considering the desirability of withdrawing the circular letter?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) Faridpur Municipality.

(*ii*) No report was required from the municipalities, and no reply to the Government letter was received except from the Faridpur Municipality

(*b*) The reply is in the negative. The circular letter was hortatory not mandatory.

Rajshahi Jail outbreak and the "Patrika" defamation case.

92. Rai HARENDRANATH CHAUDHURI: (*a*) Is the Hon'ble the Member in charge of the Appointment Department aware of a defamation case brought against the *Amrita Bazar Patrika*, by Mr. Graham, the Sessions Judge of Malda and Rajshahi, for publishing the report of the non-official inquiry committee into the Rajshahi Jail outbreak?

(*b*) Did the Standing Counsel and Public Prosecutor appear on behalf of the complainant in that case at the Government expense?

(*c*) Did the Government bear the whole or any part of the legal expenses on the complainant's behalf in that case?

(*d*) If the answers to (*b*) and (*c*) are in the affirmative, will the Hon'ble the Member be pleased to state the reasons for bearing such expenses?

The Hon'ble Sir HENRY WHEELER: (*a*) Yes.

(*b*) The Standing Counsel appeared at the public expense. The Public Prosecutor also appeared. His services in the case were covered by his salary.

(*c*) Government bore the whole of the legal expenses on the complainant's behalf.

(*d*) As the libellous allegation in respect of which the case was instituted was directed against Mr. Graham as a Government servant, and, if allowed to go unchallenged, was calculated to impair his utility in the service, it was considered fitting that Government should intervene to ensure redress. As the result of the proceedings an apology was tendered by the accused.

Ministerial officers' salaries.

93. Babu INDU BHUSHAN DUTTA: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state what action, if any, has been taken on the resolution carried in this

Council that effect be given to the minority report of Rai Mahendra Chandra Mitra Bahadur, in revising the salaries of the ministerial officers?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. Kerr): Government have carefully considered both the majority and minority reports, and, in arriving at the conclusions to be recommended to the Government of India, have not been able to accept the proposals in either report in their entirety.

Ministerial officers.

94. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state what was the mean initial pay of a clerk in the district offices in 1885?

(*b*) When was it revised, and with what result?

(*c*) Is it a fact that the Salaries Committee of 1885, considered the initial pay inadequate and recommended an increase of 25 per cent.?

(*d*) Were their recommendations given effect to? If not, why not?

(*e*) Is it a fact that—

(*i*) the standards of work and scales of pay of the ministerial staff in Eastern and Western Bengal districts are at present different; and

(*ii*) the total cost of the last revision of pay of the ministerial establishment in Eastern Bengal was less than that of Western Bengal by about five per cent.?

(*f*) Is it a fact that the Salaries Committee of Eastern Bengal and Assam found that the cost of living in Eastern Bengal is generally higher than that in Western Bengal, and recommended a higher minimum living wage for Eastern Bengal districts?

The Hon'ble Mr. KERR: (*a*) The initial pay of a clerk in the lowest grade in the district offices in 1885 was Rs 20 per mensem in a scale of Rs. 20—1—30.

(*b*) It was revised with effect from the 23rd May, 1909, in Bengal and from the 11th December, 1910, in Eastern Bengal and Assam, being raised to Rs. 25 in the former and Rs 30 in the latter province.

(*c*) The Salaries Committee of 1885, considered the initial pay of district office clerks to be inadequate and recommended for the lowest grade a fixed pay of Rs. 30.

(*d*) No As it was found that existing rates of pay were sufficient to secure the services of competent men, and were not conspicuously below those which persons of similar qualifications could earn elsewhere, Government of that day decided that there was no adequate ground for an increase.

(*e*) (*i*) The standard of work in Eastern and Western Bengal is practically identical. As to scales of pay, the member is referred to Volume I of the report of the recent Salaries Committee, paragraphs 92-95.

(*ii*) The recommendations of the Eastern Bengal and Assam Committee involved a total increase in cost of approximately 20 per cent. and those of the Bengal Committee an increase of 23 per cent. Against this must be noted the fact that the former Committee proposed a considerable reduction in staff. The average recommended increase per clerk in East Bengal actually worked out at 33 per cent., and in Bengal at 17 per cent.

Calculations showing the exact effect on ministerial salaries of the final orders of Government on the recommendations of the two committees have not been made.

(*f*) No comparison appears to have been instituted by the Eastern Bengal and Assam Salaries Committee between the cost of living in Eastern Bengal and Western Bengal districts and the higher minimum wage for Eastern Bengal districts was recommended on independent grounds.

Resolutions

(under the rules for the discussion of matters of general public interest).

Budget provision for water-supply, etc.

Dr. JATINDRA NATH MOITRA: The resolution that stands in my name runs thus:—"This Council recommends to the Government that a sum of Rs. 13,00,000 be provided in the ensuing budget, to be distributed among the different district boards either as a grant, or as a loan, with a view to enable them to open drains and *khals* in water-logged areas and for water-supply and other measures to counteract preventible diseases, as may be formulated by the board and sanctioned by Government," meaning a grant of Rs. 50,000 to each district board eliminating the district of Darjeeling and the Chittagong Hill Tracts, form our immediate consideration. Sir, in commending my resolution for your kind acceptance, I will say a few words only. It is common knowledge that malaria and cholera are responsible for the largest number of deaths in Bengal as will be evidenced from the following figures of the years 1917—1919, viz.:—

In 1917—cholera,	45,021	. malaria,	882,768 ;
In 1918— „	82,379 ;	„	1,357,906 ;
In 1919— „	124,949 ;	„	1,229,257 ;

or in three years the total figure of 3,722,280 lives were lost through these two diseases alone; in other words a daily average of the appalling figure of more than 3,400 bright human lives which might have proved useful to

the society. Now, Sir, it is also a known fact that both these diseases are preventible and there are several places in this world which, although highly malarious or infected with cholera before, have now got rid of them through vigorous sanitary measures.

You are aware that cholera is a water-borne disease and it can be checked and prevented by the provision of filtered water. It is also an accepted fact that malaria can also be effectively checked by the opening up of water-logged places, or by Bonification, by increase of human population and prevention of mosquitoes of the anopheles type and many others.

I admit, Sir, that the last word about the prevention of malaria has not yet been said, but experience teaches us that opening up of *dobas* and *khals*, drainage through the swampy tracts, and judicious use of quinine as a preventive will render our people immune to malaria to a considerable extent. Formerly, the numerous channels and *khals* in all the districts of Lower Bengal formed a net-work of drainage systems which maintained the health of both the urban and the rural areas. Gradually, most of the *khals* and some of the rivers and channels in almost every district having been silted up, large swamps of *bils* have grown up closing all the natural outlets and thereby rendering the places hot-beds of malaria.

Now this order of things must be changed if our people mean to exist. And our efforts must be towards the improvement of village sanitation. I may tell you that malaria is principally a disease of the country and not of the town. But our village unions are absolutely powerless to do anything in this direction without financial assistance from the district boards who, in turn, look forward to the Government for supplementing their slender resources to cope with the situation at least to an appreciable extent. Having regard to the economic condition of the country, a fresh taxation would not be judicious at this stage, and a loan floated by the district boards will hardly be successful if Government does not stand as a security.

The district boards do expect sanitary grants like the education grants to tackle the urgent sanitary problems, but if the Government cannot see its way to grant them this paltry sum of Rs. 50,000 for each district board, it should come forward with loans or half-grants or half-loans.

A provision, therefore, should be made in the ensuing budget to enable the district boards to take up and carry on urgent sanitary measures and the people will at once appreciate the boons of the reformed administration. Otherwise, the compulsory provision of expensive health officers will not only add to any material prosperity of the country but will prove to be a positive burden on their slender resources.

I may add for your information that the Faridpur District Board has already formulated a well-devised scheme for opening out a number of *khals*, etc., at an estimated cost of Rs. 1,50,000 in three years but the money has got to be found elsewhere.

Sir, I appeal to you all to accept this resolution although I am perfectly aware of the financial stringency of our Government as I verily believe that health problems are the problems of all problems which should engage the immediate attention of all who have any feeling for the country and its people—far above those questions which affect indirectly only a microscopic section of the people, and I am sure I do not appeal in vain.

Sir, if it is deemed necessary by the Government to steadily increase the expenditure on police, with the primary object of protecting the lives of the people, how much more, may I ask you, is it the duty of the Government to spend their last farthing for saving the lives of hundreds of thousands of the people who actually die of causes which I am sorry to say can be prevented and no duty is more sacred to the Government than this? It is no use telling the people, in season and out of season, that this matter is engaging their serious attention and that several schemes are under their consideration. We want something more definite. We want action as every minute spent in speculation means the ruin of hundreds of valuable lives, who, if healthy and strong, would be an asset to the country in more ways than one and would prove to be the real bulwarks of British power of this country.

I shall now conclude by quoting the words of Sir Surendra Nath from his address to the editors of newspapers in this connection, *viz.*, that "the jarring notes of dissent and of discord must be hushed into silence in the presence of the solemn and righteous task of saving the lives of many millions of her sons."

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): As this item and No. 45 which stands in the name of Maulvi Abdul Karim are identical, item 45 will not be moved. I call upon Maulvi Abdul Karim to speak to this resolution.

Maulvi ABDUL KARIM: As the resolution that stands in my name is in essence identical with the one just moved by my friend, Dr. Jatindra Nath Moitra, I wish only to support his resolution.

It is hardly necessary for me to discuss at length the sanitary condition of the country. At the beginning of the year in connection with the reports of the Sanitary Commissioner, the *Sanitary Board and the Sanitary Engineer*, a journal states—

Cholera is a scourge of village life and yearly takes away a toll of victims which makes a serious gap in the ranks of population We understand that cholera was reported from as many as 15,876 villages. But only a few advanced districts have made some provision for meeting its onslaught So the victims were in the majority of the villages left to die. Every year witnesses the sacrifice of many thousands of lives in this way resulting in enormous economic loss We hope now something will be done to check this fearful wastage. Malaria is the pest of village life in Bengal and money cannot be better spent than on purposes for the prevention of its ravages and the riddance of this great evil.

Both cholera and malaria are due to want of proper drainage and adequate supply of water. The small rivers and *khals* in almost every district have become silted up leaving large swamps and water-logged areas without any drainage. The scheme prepared by the Hon'ble Minister for the sanitary improvement of the districts is no doubt a most vital and important problem. The districts are most willing to undertake this stupendous task but unless the Government comes forward generously to help, they can do nothing. For schemes may be prepared, projects may be devised for a great undertaking but at the root lies the question of pound, shilling and pence, without which the best of schemes is bound to be a failure. The resolution just moved above all is of practical importance as it refers to the ways and means, *i.e.*, the sinews of war.

The Government makes an education grant to every district board but there is absolutely no such grant for sanitation, though sanitation is more important than anything else even more important than education itself, for a healthy body is a condition precedent to a healthy mind and education without health of the population would be perfectly meaningless. Having regard to the economic condition of the people it is impossible to think of any fresh taxation The Government must, therefore, come to the rescue if they are really in earnest to protect the people from the yearly ravages of cholera and malaria It is therefore necessary that grants should be made to every district board that may be willing to undertake anti-malarial and sanitary operations I may mention here that these operations will serve the threefold purpose of drainage, water-supply and cultivation and in addition they will improve communication, and in many cases they may prove productive.

Excluding Darjeeling and the Chittagong Hill Tracts there are 26 districts and, at a modest calculation, Rs 13,00,000 should be provided in the next budget for their sanitary operations If each district board can get on an average a grant of Rs 50,000 for it to undertake two or three projects every year we can easily imagine that by continuing the operation systematically for nine or ten years the entire malaria-stricken or otherwise unhealthy portion of the district may easily be drained out and the present devastated villages will again revive into smiling habitations of a healthy and contented people If the Government are unable to make free grants, as in the case of education, they should advance money to each district board, partly by way of grant and partly by way of loan, at a small interest, so as to enable the district boards to repay such loans out of their own resources. I am sure no district board will hesitate to take this loan as they are fully conscious that the work practically represents their property. It would be useless to ask the district board to raise such loans in the open market as they do not command that confidence which is necessary in case of private loans. The Government may raise a loan and then advance out of it to the district boards at the same rate of interest at which it may be raised. There is no other solution for this important problem and it should be borne in mind that if

nothing is done to effect this vital improvement, the people will suffer the keenest disappointment and the Reforms will fall flat as far as this province is concerned.

Khan Bahadur Maulvi WASIMUDDIN AHMED: I heartily support the resolution so ably moved. As you are aware of the very insanitary condition of some of the districts of Bengal, it is needless to say that they require large sums of money for chasing away cholera and malaria from the land, and also to make other improvements necessary for the safety of the public. At the District Board Conference it was decided, and it was also recommended by the Government that district boards should entertain the services of health officers, and it was contended by some members that unless the district boards got a sufficient amount of money, to take up works of improvement, it would be quite useless to engage the services of health officers, unless there is some occupation for them. Now the employment of these health officers has been made compulsory, and almost all the district boards have employed them, but they find great difficulty in finding employment for them. Almost all their funds are already earmarked, and there is scarcely any working balance left to give sufficient employment to these officers. Recently also the Vaccination Act has been extended to several districts and the district boards have been obliged to give free vaccination; that means considerable expenditure, so many district boards find it extremely difficult to lay by any sufficient amount for works of sanitary improvement. As you are aware the sanitary improvement of the districts cannot be carried out without money, and fine speeches cannot remove these difficulties. If fine speeches had any effect or value, then our able Minister in charge of Public Health would drive cholera and malaria beyond the Pacific in no time. He himself suggested means whereby the district boards could combat these difficulties. He suggested that the district boards should raise money locally. As my learned friend has already suggested, it is difficult to get money locally, because the district boards do not command the same respect in the market as the provincial government does. Recently Mr. Biss was trying to get some money in the mufassal for the construction of primary schools on assurance by Government to pay by instalments with interest. I had a talk with him the other day and I also tried to get the money in the district of Pabna, but found it extremely difficult to get any money in the mufassal for the purpose. As you are aware a very healthy section—section 200—was enacted as far back as 1884, and there are very few municipalities in the province which have taken any action under that section.

On the 7th February last I put three questions. The first was whether any rule had been framed under the Bengal Agricultural and Sanitary Improvement Act, what action had been taken during the last 10 years under section 200 of the Bengal Municipal Act, and with what result, and what action had been taken under the Bengal Sanitary Drainage Act

within the last 10 years, and with what result. Out of these three, two were answered, that rules had been framed and had been circulated under the Bengal Agricultural and Sanitary Improvement Act. Though I have been answered, I have not been answered fully, but I can understand what the answer would be because I have some experience of municipalities. These municipalities have not, and cannot, take any action for want of money.

Then as regards the action taken under the Sanitary Drainage Act, we all know this Act was in the Statute Book for more than 20 years, and in answer to my question the Minister in charge of Public Health said that it was only in three or four instances in the districts of Hooghly and Burdwan that action was taken, and no work or anything had been done with regard to the remaining part of the province. The reason is obvious: it is only owing to want of money that no action could be taken under such a useful Act as the Sanitary Drainage Act. Now that Act has been replaced by the Bengal Agricultural Sanitary Improvement Act. Rules have been framed and forwarded to district boards and many district boards are anxious to take action under them, but under the provisions of that law private individuals or district boards have to guarantee the cost of the execution of the work. There are some schemes now pending with the District Board of Pabna. I took up some of these before the rules were passed, and they are ripe for action. One of them will cost nearly Rs. 50,000, and another Rs. 20,000. The matter will be taken up on the 12th December and the decision of the board whether it would be in a position to guarantee the expenditure so that the Magistrate can take action under the law, will be given then, but I am sorry to inform you, that the District Board's financial position is not so strong that it can undertake this work, without a corresponding undertaking from the tenants and landlords that they would levy rates of their own accord, so that the receipts may be set off against the contribution which they are required to pay. So far as the tenants are concerned, they are only too willing—they have already deposited Rs. 1,000 and will deposit more—but the landlords have not responded and so nothing can be done. I dilate on this to show that this is the condition of the district boards in Bengal. Now the mover has made it clear that it is not their intention that Government should give them grants. The resolution leaves it to the Government to decide whether the amount should be given as grants or loans. Of course, if the district boards can get it as a loan, in that case also it will be welcome because the amount will be subsequently raised by the people, and they will pay in most cases, but in some cases where a private party is not directly benefited there the district boards will be made to pay the cost, and they are willing to pay for the safety of their own constituency. Recently, several hand-bills have been issued by the Public Health Department giving instructions as to how cholera and malaria may be combated and what steps should be taken to stamp out cholera, and it is recommended that wells and other suitable reservoirs

for drinking water should be excavated so that the people will not ge disease by using polluted water. All these recommendations are, n doubt, good, but the poverty of our funds stands in our way, and the only way to enable us to take action is to raise loans as suggested by th Hon'ble Minister in charge of Public Health. With regard to that, w all agree with him. The only question is whether we should raise loan privately or whether Government will raise them for us. I think i would be best if the Government could raise loans and make provision i the budget so that as soon as schemes mature Government would give th loans. Of course, when atcion is to be taken under the Bengal Agricultural Improvement Act, Government will also have to pay a certai amount as contribution towards the work. But that, of course, woul not be very much, and moreover, that amount can be provided separately or at least a portion of it. So I recommend to this Council that this resolution should be accepted, and this is the only way in which we ca chase away cholera, malaria and other diseases from the land and thereby enable the district boards to do some useful work for the people.

Maulvi EMADUDDIN AHMED: I rise to support the resolution which has been moved by Dr. Moitra, and in doing so—because human memory is short—I only beg to draw your attention to the fact which has been brought home by the Hon'ble Minister in charge of the Department of Public Health and Sanitation that the death-rate in Bengal is now higher than the birth-rate. The circular letter of the Hon'ble Minister has brought several facts to our notice which are very appalling indeed. We calculate our death-rate in our district—I come from the district of Rajshahi—and find it to be so huge that if it continues at this rate, then within 100 years the whole district would be depopulated. It is now a question of life and death. I find a pregnant word uttered by the Hon'ble Minister is that we, the Bengalis, are a dying race and indeed we have been dying. Nothing is more solemn, nothing is more urgent than to find out the means for checking and eradicating altogether cholera and malaria which are devastating Bengal. The district boards are quite powerless to cope with these diseases. It is beyond the power of the district board to supply even good drinking-water to the people. Some time ago a schedule was prepared in order to find out which places most particularly required water. We have been supplying water by digging wells and tanks, several villages are supplied, but still there remain some 2,000 villages to be provided with drinking-water pure and simple. My friends from Calcutta do not know how the mufassal people suffer from the lack of good drinking water. Good water is so scarce that the villagers have simply to take muddy water during the dry season. They go to the pond, squeeze the mud and then drink the water. This is the condition in most of the districts in Bengal. We find that Rs. 3,00,000 will be required at once in order to provide water for about 2,000 villages; we have no money, but we can not sit idle, we must perform our duty towards the people. The Government also cannot give any

money; the financial deficiencies they suffer from are well known. In default of Government aid we must raise a loan for the suggestion of which we are thankful to the Hon'ble Minister. I appeal with all earnestness to the rich landlords, the wealthy merchants and to our Hon'ble Minister, who takes a good deal of interest in our rural affairs, to see that money at least on interest is available. We do not want anything more except money on loan. The district boards have been told to borrow but as you all know the credit of the district boards is not so good; so loan is not available. Unless, therefore, Government come forward, unless wealthy people come forward to help us with a loan then, probably, at no distant time, we shall find that Bengal is depopulated. I can show by facts and figures that it is an easy task to drive away these pests if only we get the money. So far as my district board is concerned it spends Rs. 30,000 for water-supply and I can assure the Council that we shall be able to pay off a loan of Rs. 3,00,000 within 20 years if we earmark Rs. 30,000 for the purpose.

This is a very solemn thing and nothing can be more important than this. I appeal to you all to find money. I believe that on interest money is available in Great Britain; we might borrow in England, the district board would be asking to do that in order to save the people from death.

SHAH SYED EMDADUL HAQ addressed the Council in Bengali in support of the motion.

Babu SURENDRA NATH MALLIK: I support this motion. I do not wish to inflict a speech on the Council for the simple reason that I intend to speak on another resolution of a similar nature.

Mr. S. M. BOSE: I heartily endorse what has been said by the previous speakers in favour of the resolution. I think that Government ought to take immediate steps to help the various district boards in fighting malaria, cholera, and other epidemic diseases. Cholera in an epidemic form is now unfortunately rampant in many parts of West Mymensingh, and malaria also is very prevalent there, and of late has spread itself in East Mymensingh. This is due to the silting up of khals and rivers and I am afraid also to the extension of railway. Lately several cases of malaria have occurred in Kishorgunj and Bajitpur, and I think it is high time that immediate steps were taken to improve the health of the people. The boards are hampered by lack of funds and also by lack of ideas. These should be supplied by Government. Government should in my opinion send down experts to various districts to draw up schemes for drainage and water-supply. Government will then be in a position to know exactly the total amount that will be required by the various district boards to finance the schemes so drawn up. I would suggest that Government might very well float a loan as taxation is out of the question, and I feel sure that every inhabitant of Bengal will think it his patriotic duty to subscribe to that loan; so I do not think there will be any difficulty at all in raising the full amount. Government may then

advance the money required at a very low or nominal rate of interest and also help them with expert advice. In this way the benefit of the Reforms will be brought home to the people. I know our popular Minister in charge of the Public Health Department is straining every nerve to improve the health of the people and our earnest prayer is that he may within a short time be able to show a substantial progress. The safety of the people has been said to be the supreme law. May I not apply that here and say that the safety, the health, of the people is the supreme concern and everything must give way to that?

Mr. BIJOY PROSAD SINGH ROY: I have great pleasure in supporting this resolution. It is most welcome when it comes from one belonging to the medical profession. It is a modest proposal—only Rs. 13,00,000 for the 25 districts boards of Bengal. The need for the sanitary improvement of our villages cannot be sufficiently exaggerated. This is the object to which the attention of Government should be first directed and I am glad that it has already drawn the attention of the Hon'ble Minister in charge of the Department of Sanitation. He has made extensive tours, consulted public opinion on the subject and he has expressed sympathy with the condition of the people in the mufassal. The time has come when the Government should show their hands and place before the public a definite scheme for sanitary improvement and show their sympathy with the suffering multitude of Bengal in a more tangible form. In this Council we have not been sparing in our efforts either in advocating retrenchments or in blaming Government, I think most justly, for their superb indifference to the most insanitary condition of our villages. A large number of our countrymen live only to fall easy victims to malaria. His Excellency's observations on our financial prospect on the opening day of the present session have undoubtedly revived the hope of every member of this House, to expect better days, and I think we should transmit that hope to our fellow-countrymen in the districts by unanimously accepting this resolution. This is a demand for the most sacred cause—sanitation. Providence has placed the purse-strings of the nation in our hands. Let us spend money for the alleviation of the sufferings of those who are our kith and kin. Let the money be spent through our own men in the district boards under the supervision of the non-official chairmen. We need not be afraid for funds. I hope the Police Committee will come to our help. We expect large retrenchments there and the amount so saved may very well be spent for the most sacred purpose of alleviating the miseries of mankind. That will be a penance worth practising, which, I am sure, the country will very much appreciate. In this connection, I may be permitted to suggest that instead of making uniform grants to all the districts boards let us consider the urgency of need of each board and let us have a committee for the purpose of determining the urgency and the amount of money to be granted; and on their recommendation we shall act.

With these few words, I beg to support the resolution.

Babu SURENDRA NARAYAN SINHA: The resolution which has been moved by the hon'ble member Dr. Jatindra Nath Moitra will, in my opinion, if carried, give the district boards of Bengal great facility in draining stagnant water in water-logged areas and will also help the district boards in carrying out their projects as regards supply of pure drinking-water in several rural areas. I know from the affairs of the Murshidabad District Board, the board is in want of sufficient fund to meet the demands of the district. Recently, owing to financial crisis, our district board has reduced the amount of grant to some of the charitable dispensaries which has created the position of those dispensaries very critical. It is a well-known fact that the people of Murshidabad suffer much in the dry season when generally cholera breaks out almost every year in different quarters of the districts and we believe the main reason for the prevalence of such diseases and malaria is the stagnant condition of the river Bhagirathi. Where water-works schemes are not possible, digging of good wells and re-excavation of old tanks will certainly be a successful remedy to remove the long-felt want of pure drinking-water. There are areas where people suffer much even from want of drinking-water and there are also some areas where the flood and rain water do a great injury not only to the crops but also is detrimental to the health of the people residing there. There may be similar cases in other districts too; so it will be a great help and advantage to the district boards if this Council can provide them with some fund. In consideration of the need the sum proposed is not much. When Government is at a financial crisis we cannot expect more. I support the resolution.

Rai RADHA CHARAN PAL Bahadur: One of the previous speakers said that he appeals to the members hailing from Calcutta. I believe, with the exception of my friend, Babu Surendra Nath Mallik, no member from Calcutta has spoken on the subject. I do not think that any lengthy speech is necessary to accord our cordial support to this resolution, nor is it necessary to impress upon the Hon'ble Minister in charge of the Public Health Department of Bengal the paramount duty of Government to take all necessary steps for the amelioration of the public health of the province. We all know that the Hon'ble Minister has been straining his nerves to the utmost in order to devise means for the purpose of battling with malaria and other preventible diseases. He has toured over the province and—if I may be pardoned for saying so—he himself has got a taste of malaria, because only the other day he was down with malaria, and this, I am sure, will rouse his sympathy all the more for his fellow-countrymen. But what strikes me most is an obvious defect in the resolution, which has been moved by Dr. Moitra and supported by subsequent speakers. I find that he asks for a certain grant—only a limited grant of Rs. 13,00,000 for the district boards of

Bengal. But what about the municipalities—the poor, struggling and starving municipalities? I believe they are about 115 in number. What about these which are simply struggling to maintain their ordinary administration? I think, therefore, that the demand for Rs. 13,00,000 which has been made is absolutely inadequate. The question of funds is the main question. We need not dilate on the subject to impress upon the Hon'ble Minister the necessity for providing funds, but he must be shown how to provide funds. Some suggestion has already been made in this direction, and I should like to know what he has to say with regard to it. The United Provinces Government have been very successful in raising a loan of two crores of rupees in order to supplement the resources of the local bodies for the amelioration of the sanitary condition of that province. We are still in the dark as to what steps the Government are going to take here in the direction of raising a loan. For the purpose of raising a loan I do not think that simply a slice here and a slice there, Rs. 13,00,000 this year and Rs. 12,00,000 next year, will do. We should have crores of rupees at our disposal, and I am sure the idea will command the support of the public, as has been stated by some of my friends here. Let the Government come forward courageously and float a loan, and I am sure money will be forthcoming in no time. We are nearly at the end of the financial year since the present Council came into existence about 10 months ago, and I should like to know what measures are being devised in order to float a loan for the purpose of financing these projects. There ought to be, I think, regular and comprehensive schemes in respect of various district boards and municipalities of Bengal, and all these schemes ought to be financed by a loan. Otherwise it would be impossible for the Council to provide funds. I wish also casually to point out, in this connection, that it is necessary that when we embark upon a comprehensive scheme for the improvement of drainage and water-supply and other measures for the improvement of public health of the province we must have some such organisation as the Local Self-Government Board, not to domineer over or in any way to interfere with the independence of the local bodies but to help them with advice in that direction. I think this is a matter which is intimately connected with the question as a whole. The Hon'ble Minister has an arduous duty before him; he has pledged himself to carry out the task; and I am sure that he will give the Council and the public at large a satisfactory account of what he proposes to do within the next year or the year following.

Maulvi MAHAMMED MADASSUR HUSSAIN: I rise to support the resolution moved by my friend Dr. Jatindra Nath Moitra and Maulvi Abdul Karim. All the arguments in favour of the resolution have been exhausted; and I need not take up the precious time of the Council in reiterating them, but one question which agitates my mind is this that if a loan be floated, it can only be floated if the money is

required for productive purposes. So if a loan be floated how can the interest be met and how is the sinking fund to be established. These are two questions which agitate my mind. Some of my friends have said that if under the Sanitary Agricultural Improvement Act measures be taken and schemes be started, then from the profit or from the income of that work the interest may be paid. But there are some districts where there are no water-logged areas from which the water can be drained off and, in such districts, how can there be any drainage and how can the interest on the loan be met? That is only agitating my mind. In my district of Birbhum there is no water-logged area and no lands can be converted into cultivable area. There may be other districts in which the facilities of drainage cannot be utilised. Then, in such districts, how can the reproductive works be started; and if no reproductive works can be started then how can the interest on the loan be paid? In my opinion the loan should not be given to such districts and it is a grant that is required for them, and if Government cannot give such districts a grant no useful purpose will be served. With these words, I beg to support the resolution.

Raja RESHEE CASE LAW: I rise to oppose this motion. The member who has moved the resolution has forgotten that the Government gives to every district board an augmentation grant of Rs. 50,000 a year for purposes of sanitation, and by that means as well as by the ordinary income of the board, we make provision for water-supply and adopt other sanitary measures. It is not possible to raise two crores of rupees by a loan here. First of all, as the former speaker has said, it would not be possible for the board to pay the interest as well as the sinking fund, because the money will have to be raised at 7 per cent. interest now, and that means Rs. 14,00,000 for Rs. 2 crores, which it is not possible for the district boards to pay. Owing to these considerations, I do not think it would be practicable to raise a loan at all. Therefore, I oppose the motion.

Rai Dr. HARIDHAN DUTT Bahadur: I rise to give my humble support to the resolution moved by friend Dr. Moitra. I am one of those, who believe that the success or the failure of the Reforms depends upon the success or failure to achieve improvements in the sanitation of the country, as they are so closely associated with each other. If you want to make the Reforms Scheme a success, you must not be afraid of undergoing expenditure of large sums of money for the improvement of the sanitary condition of the province of Bengal. This country cannot be happy and prosperous unless we take vigorous steps to do away with diseases and specially preventible diseases. I am one of those who think that the public health should be our first care. That being so, I cannot but associate myself with the chorus of support that has been accorded by many members of this House to the proposal of my friend.

I have heard men in position very often talking of sympathy for the people and of their solicitude for improving the sanitary condition of Bengal. May I ask what has actually been done up to this time? I do not for a moment say that nothing has been done. I do realise that the Hon'ble the Minister has been up and doing for the last few months; but we are all anxiously expecting that before another year goes away we shall have actual proof of the work that he has been able to carry out. Malaria has been declared by everybody, including His Excellency the Governor, to be a preventible disease. If it is a preventible disease, may I inquire, why it is not prevented? If, however, it be contended that there are more serious things than malaria and that, therefore, malaria must wait—if that be the feeling of anybody, I humbly submit that I cannot subscribe myself to it. If a man can live, then he can enjoy the benefits of political improvements; if he goes out of existence, where is the importance of these political improvements to him. So I say, that above all things sanitation deserves our first care; and, I once more say, that the success or the failure of the Reforms Scheme mainly depends upon the improvements of the sanitary condition of this province. It has been asked in this connection where the money is to come from. I cannot answer that question. But I think that if we send this resolution to Government or to the persons who are responsible for the finances of the country, with a strong recommendation from this Council, Government will have to think and find out the money. That is the position I should like this Council to take. We are not here as experts in finance; but we have to point out where the shoe pinches and where it may be possible to have it loosened. It has been said that a sum of Rs. 13,00,000 will be required. It has been also said in this connection that even if you are able to provide Rs 13,00,000 where is the scheme? I may say, that those who are anxious to oppose resolutions generally cry for schemes. If you can assure the local bodies of the financial support of Government, then perhaps they would come forward with schemes: otherwise what is the necessity for asking them to spend their energy and money in preparing big schemes only afterwards to find that the money is not forthcoming. From the little experience I have of public bodies I can say that I have seen the same thing. If any body wants money, he is asked—"Where is your scheme?" If he comes forward with a scheme, then he is asked where is the money to come from? We are really between these two; and that is why I say that if this Council wants seriously to tackle the question of preventible diseases, let this Council make a recommendation to the Government that they want to spend this money, and then let Government say whether the money will be forthcoming or not. This resolution suggests an expenditure of Rs. 13,00,000 and even if a larger sum be required. I do not think that the Hon'ble Minister will hesitate to come forward before us with his scheme for improving the sanitation of Bengal. For this beautiful country of ours very little has really been done. We, who live in Calcutta, cannot fully realise what is going on outside Calcutta

and how people are suffering from various diseases—mostly preventible. There is a good deal of overcrowding in Calcutta and what is it due to? It is mainly due to the very insanitary condition of the mufassal. If you just step outside the canal on the north you will find any number of cases of malarial fever. Why, outside Calcutta! In Bhowanipur you will find a large number of malignant cases of malaria which are almost unknown within the city. Is this the time to think for money? Therefore, I say that if you are serious and if you want preventible diseases to be done away with, do not be afraid of the difficulties and do not be too cautious in your expenditure. Certainly if you call a doctor to cure you, you should not refuse to pay for the medicine he prescribes. If you are not prepared to buy the medicine, then why do you call for a doctor? My feeling is that this Council should by its vote carry a resolution for spending money for sanitary improvement, whether it be 13 lakhs or 30 lakhs will be a consideration of secondary importance.

Maulvi HAMID-UD-DIN KHAN: Though I have not any connection with any of the district boards in Bengal, yet I have much pleasure in supporting the resolution that has been moved by my friend, Dr. Moitra. The one reason which leads me to support this resolution is this, that if sufficient money is granted by Government as a loan, immense benefit may be done to the people of Bengal, a large number of whom is being carried away by malaria and cholera everywhere. My idea is that if the money is given either in the shape of a grant or in the shape of a loan, then the greatest benefit will be to the largest number. What I have to say, as has been already told by previous speakers, is to deal with only one question. My idea is that each district board should take a loan of at least Rs. 2,00,000 for sanitary improvement. On an average annually Rs. 30,000 is spent for sanitary improvement by every district board. So calculating the interest at 7 per cent. the annual interest will come up to Rs. 14,000 so the district board will be in a position to pay Rs. 14,000 as interest and Rs. 16,000 annually towards the principal and in this way liquidate the debt in 12 or 13 years. My friend, Maulvi Madassur Hussain has inquired that if a loan is taken, in what way it would be reproductive. I will answer this question by a simple example. Supposing that there is a *khal* or *bil* which has no drain for the outlet of water. If a channel be made from that *bil* to drain the water out, the people who will take settlement of that *khal* or *bil* will be quite willing to deposit money and sanitary conditions may greatly improve. That is the answer I have to make to my friends; but in the resolution it is clear that the scheme will be made by the district board and it will be sanctioned by Government. If it is sanctioned by Government, there will not be any sort of misapprehension as to the way in which the money should be utilised.

With these words, I support the resolution of my hon'ble friend.

Maulvi YAKUINUDDIN AHMED: The resolution began with a grant from Government but ended with this that if the grant cannot be given a loan may be given. (A voice: "Grant or loan?") My friends over there are divided in their purposes, and they say, if Government cannot give a grant they might give a loan. I beg to submit that we ought to be very definite in our demands, that is whether we want a loan or a grant. I would point out that even if a loan be given, we must see that the interest on the loan may not be of such magnitude that the district board is unable to pay. In these days, it is very easy to get 6 per cent. or 8 per cent. loan from any body and if we want a loan from Government and even it is suggested that the loan be contracted in England, I thihk in making these suggestions, we should be very limited in our demands and should consider how to meet the interest on the loan. The interest ought not to be more than 4 per cent. or 3½ per cent. as Governnfent securities are to be had on such terms. Even 5 per cent. is a larger amount and, therefore, I beg to say that we ought to consider all these matters before we want help from Government in the shape of a grant or in the shape of a guaranteed loan, even from England. I also submit that district boards have not considered the waste that is made by them in different matters and instead of that they want further money to spend. It may also be noted that every district board has a health officer on Rs. 300 a month or even more. These 25 district boards are employing 25 health officers each on Rs. 300 a month. That comes to an amount of about a lakh. I would ask what do these health officers do, and if it would not be sufficient for the people in the land to know only elementary sanitary principles which are taught in the primary schools, such as given in *Swasthya raksha* and *Sastasahaya*, by Kamikhya Babu. I think such a treatise is quite sufficient to enable the people of the land to know what sanitation is; instead of that what is the good of employing such highly-paid officers who do nothing at all.

Mr. W. L. TRAVERS: I rise to a point of order. The hon'ble member is straying from the terms of the resolution.

The DEPUTY-PRESIDENT: I think he is in order.

Maulvi YAKUINUDDIN AHMED: District boards are wasting money in employing these health officers. There are civil surgeons in every district. Civil surgeons are quite sufficient to look to the sanitation and to other matters within the jurisdiction of the district boards. ("Questions.") It was the former practice that civil surgeons were responsible for the health of the district. Since the health officers have been employed, the Department of Vaccination has been taken away from the control of the civil surgeons. Is it a division of labour? Civil surgeons are now without work excepting the inspection of different dispensaries. These are the bare facts. These are the considerations which ought to engage the attention of this House instead of clamouring for more money to spend.

I wonder why you employ the District Engineer on say Rs 800 a month for making your *kutcha* roads when, some time after one year, all the earth is blown away by the wind, or washed away by the rains and again you have to spend a large amount of money on these roads. I think this should be considered by the district boards as well as by the Minister in charge of the health Department.

With regard to water-supply, formerly there were wells constructed at Rs. 800 each, but we can see now that we construct wells at Rs. 175 per well. ("Question.") We have already constructed such a well in Dinjapur of which District Board I am the Vice-Chairman. (A voice: "Where is Dinajpur?")

The DEPUTY-PRESIDENT: I think the speaker is entitled to speak without interruption.

Maulvi YAKUINUDDIN AHMED: I beg to submit that this fact ought to be taken into consideration that if we can now construct a well at Rs. 175 as against Rs. 800, we can, with the amount so saved, make more wells ensuring the supply of much more drinking-water to the people. Therefore, with regard to the demand of grants or loans we should first see what our own resources are and that these resources are well husbanded. Then only can we want money and the money which we want ought to be spent not in the way we are spending now but more considerately. I have no objection to having a loan of Rs. 50,000 for each district board, but a loan, if contracted, ought to bear the Government securities' rate of interest and no more. If we cannot get loans on that rate it is highly objectionable to contract loans at a higher rate.

Maulvi SHAH ABDUR RAUF: I had no mind to speak on this resolution, as a number of speakers had already spoken in support of it; but a note of dissent from Raja Reshee Case Law, which was hardly expected, makes me rise and say a few words by way of criticism The Raja spoke for a few minutes and said that Government had already made a grant of Rs. 50,000 or Rs. 60,000 for water-supply or sanitation. Does he thereby mean to say that no more money is required by the district boards? Was not the Raja present here when Dr. Moitra told us the fearful story of the ravages caused by malaria and cholera and was he deaf to the very pathetic story told by Maulvi Emaduddin Ahmed when he said that in some areas the water which the villagers drank is full of mud and so unfit for drinking purposes? A person who never looks to the needs of the villagers, who never has any idea of what the villagers require and what they feel owing to scarcity of water—for such a person of course this resolution has no meaning. I submit that the conditions of many villages are such that the villagers require sufficient water-supply; and it is the medical truth that it is due to bad water that cholera is playing such a havoc. It is a disease which can be prevented by the introduction of good water-supply. My learned friend, Maulvi Yakuinuddin

Ahmed, from what I could gather from his speech, gave us a sort of advice saying that the district boards waste a good deal of money. I quite agree with my learned friend that the district boards are compelled by the Government to provide a health officer on a salary of Rs. 300 or Rs. 500 a month and that sum is mis-spent. I quite agree with him on that point. At the same time I may tell him that the district boards have no hand in the matter as, I believe, the Government have thrust that post upon the district boards. That is no reason, however, why we should not pass this resolution, and should not say that water-supply is a necessity in many mufassal districts. The demand is very moderate, it is either a grant or a loan. We know the financial position of Government; so I think my friend, the mover of the resolution, has thought it wise to have either a grant or a loan. If it is not possible for Government to give us a grant, then they may grant us a loan. As has already been suggested by several speakers much may be done if the Government takes the lead in the matter. I will not dilate on any other points but resume my seat by whole-heartedly supporting the resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I have much pleasure in supporting the resolution of my friend, Dr. Moitra. We have already passed a resolution that Rs. 2 lakhs should be allotted to the district boards for water-supply. As this is an additional amount, the demand certainly has my approval, but if this is made use of by the Government as an excuse entitling them to borrow money it would be an unjustifiable resolution. It is no doubt true that health is the first consideration with the people. Sanitation and good drinking-water are all good, but it should be remembered that poverty is the first cause of bad health and death. We who live in the town of Calcutta on unearned wealth or easily earned wealth do not know and can not appreciate the depth of the poverty of the people in the mufassal; add a pice of additional taxation and they will refuse to pay. As a Councillor it is my duty to warn the Government that no such attempt should be made at the present juncture. Loan means what? By all means have loans if you have got a surplus. Suppose if you have a surplus of one crore of rupees, then you may have a loan of Rs. 50 crores. But when you are in deficit, loan means further taxation. That must be clearly understood. Therefore, I cannot for a moment entertain the idea that Government should contract a big loan for paying the district boards. Those gentlemen who are talking so glibly about loans, as soon as a loan is floated, will find their lives made too hot by their constituencies. This idea of a loan cannot be supported for a minute. Rs. 13 lakhs my friend wants. Government can easily pay this amount. Why the question of a loan is raised here, I cannot conceive. By economy and by other means, Rs. 13 lakhs can certainly be paid to district boards and even a larger amount to those bodies and municipalities. I say that the question of a loan involving a further taxation cannot be entertained.

Babu ANNADA CHARAN DUTTA: I beg to move that the question be now put.

The DEPUTY-PRESIDENT: This is a very important resolution and I want to have another speaker.

Babu NITYA DHON MUKHERJEE: There is no denial on either side that money is absolutely necessary for the improvement of sanitation.

Babu ANNADA CHARAN DUTTA: May I rise to a point of order? When I proposed that the question be now put, should it not be put forthwith?

The DEPUTY-PRESIDENT: No, not necessarily; it is a matter in the discretion of the Chair.

Babu NITYA DHON MUKHERJEE: This resolution has been moved only with reference to district boards. The hon'ble mover has put forward certain figures before this Council showing the number of deaths during recent years. I submit that he has not pointed out only the deaths that have occurred within the area of the district boards but in the whole district including the municipal areas. Therefore, I submit that when a loan or a grant is made to district boards, municipalities should also be taken into consideration. The Hon'ble Minister has been moving about in the different districts of Bengal and asking the district boards to frame schemes for the improvement of sanitation, etc. I earnestly hope that the Hon'ble Minister will not forget his duties to the municipalities which should also be helped either by a grant or by a loan to improve the sanitation of their respective areas.

Maulvi MAHAMMED MADASSUR HUSSAIN: I rise to a point of order. He is not entitled to speak about municipalities.

The DEPUTY-PRESIDENT: I hope that you will confine yourself more strictly to the resolution before the Council.

Babu NITYA DHON MUKHERJEE: One of the previous speakers has asked why should the district boards employ health officers on a pay of Rs. 300? I am told that he is the Vice-Chairman of a district board, but he should have known that the appointment of these health officers are compulsory under the law and that Government pay half the cost of these officers. The district board is bound to appoint these officers. I have every sympathy with the mover of this resolution. As I am ordered not to say anything about municipalities, I will not say anything but what I have already submitted is quite enough.

The Hon'ble Sir SURENDRA NATH BANERJEA: I rejoice as Minister in charge of Public Health that this debate should have taken place, because it discloses the great fact that this Council, as at present constituted, is keenly solicitous of the preservation and promotion of

public health in this province. My sympathies with the question of public health and with this motion are not lip-deep. I venture to think that I have given to this Council and to the country evidence of the genuine interest that I feel in the matter. Last June, I circularised the district boards and invited them to submit to the Health Department schemes of water-supply and anti-malarial operations with an approximate estimate of the cost thereof, and in that circular I intimated that I would be prepared to be present at any conference to which I might be invited. Well, Sir, I was invited by 8 district boards; more properly speaking by 11, and I visited the headquarters of these eight district boards and was present at the conferences held there. I was present at the conferences held at Dacca, Barisal, Jessore, Khulna, Krishnagar, Hooghly, Faridpur and lastly at Dinajpur: and the schemes of anti-malarial operations and for the supply of water are now coming in. We have already received three such schemes—one from Faridpur, the place from which my friend Dr. Jatindra Nath Moitra comes, another from Barisal and a third one from Jessore. We have invited the district boards in consultation with the leading men of the districts in public conferences assembled to formulate schemes of water-supply and anti-malarial operations together with an approximate cost thereof and to submit them to our Department The idea is to present to this Council a comprehensive scheme of water-supply and anti-malarial operations embracing the whole province, and then when we have done that, to indicate the progress of our operations from year to year and in this connection I may state what I have done. I had a long conference with Mr. Addams-Williams, an expert in this matter, and have asked him to submit to me in the course of the month of December a statement of anti-malarial operations embracing the whole province. He has promised to do so. He will place before me a scheme extending from 1921 to 1931, and an estimate of the cost of these various schemes, and then it will be for the Council to vote the money and to determine the rate of progress of the project In inviting the district boards, my idea was to place local knowledge and experience side by side with expert knowledge and experience, so that expert knowledge and experience may test local needs and requirements. As soon as I get these various schemes from the district boards, I will place them before Mr. Addams-Williams and the Health Department so that in the light of expert knowledge they may be tested as to how far these schemes are practicable and what their result are likely to be. Thus, we are engaged upon what I claim to be a gigantic work. My friend over there, Rai Dr. Haridhan Dutt Bahadur, says—I was surprised to hear from him such a statement—that malaria is a preventible disease and why not prevent it? Yes, but you cannot brush it aside in that way and say: "Malaria here thou art and thou shalt go" and then it would go. You cannot do it in that way. I should like to ask Dr. Haridhan Dutt a question. He

is a medical man, dealing with complicated diseases. Is he able to issue his fiat in that way, like King Canute and will these diseases obey his mandate? If that is true in respect of any disease affecting a particular person, how much more difficult must be the task of removing a disease which has been spreading havoc for nearly 60 years and among the population of a whole province? Therefore, in a matter of this kind, we must have patience. We must have a clear perception of the necessities of the case; of the remedies to be adopted and of the cost, so that public money may not be frittered away in extravagant or reckless expenditure. We have to proceed with caution, judgement and care. That is what we are doing. My interest in this matter is great, and I rejoice that this debate should have taken place because it indicates the attitude of the House which I take to be their firm determination to support the Minister in any reasonable scheme of expenditure for the promotion of public health. I take that to be the view of the House. My friend, Rai Dr. Haridhan Dutt Bahadur, thinks that we have only to tell the Government that so much money is required and the Government must find it. No, Sir, Government has not to find the money. You hold the sovereign power in that matter, the purse-strings of the Nation and it is for you to use that power. I will lay my schemes before you and say that these schemes will cost so much and ask you to vote the money. If you do not vote it, the responsibility will be yours.

Now, Sir, I come to the question of providing Rs. 13 lakhs in regard to which I find my friend, Raja Reshee Case Law, has sounded a note of dissent Raja Reshee Case Law is exceedingly cautious and considerate. We are of the same age; perhaps I am a bit reckless, a bit impulsive. I must say at once that in a matter of this kind we must go ahead. We must exercise, caution, it is true; but we must at the same time recognise the fact that the cardinal quality required in dealing with an evil of this kind is the desire to push forward. Well, Sir, Rs. 13 lakhs to my mind seems to be a small figure. I do not know the data upon which this figure is based. I think I can guess them. There are about 27 districts in Bengal

Dr. JATINDRA NATH MOITRA: Excluding Darjeeling and Chittagong Hill Tracts, I propose to allot Rs. 50,000 to each district.

The Hon'ble Sir SURENDRA NATH BANERJEA: My friend wants to allot Rs. 50,000 to each district independent of the needs of the district. The requirements of a district are the first consideration in a case of this kind. Then again, suppose you get Rs. 13 lakhs this year and you do not get anything at all next year. Your work is stopped. Therefore, what I say is this: Let us have a comprehensive scheme, map it out year by year, allot funds for it and go on with it progressively; and you can only do this by a loan because these are works of permanent utility and works of permanent utility in all parts of the

world are financed out of loans. Look at the Calcutta Municipality (you need not go very far), look at their drainage scheme, look at their water-supply, look at the magnificent sanitary improvements which they have effected. They have converted a swampy marsh into one of the healthiest cities in Asia. Could they have done all these things out of current revenue? No. They contracted loans and they are taking loans even now. Therefore, let the principle be recognised by this Council that as regards works of permanent utility, the only method of carrying them out is by loans. The reason and justice of it is obvious. These works will benefit the present and succeeding generations. Obviously those who come after us must pay for the boons which we start for their benefit. Therefore I take it that this Council accepts this principle that works of permanent utility must be carried out by borrowing.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Without taxation.

The Hon'ble Sir SURENDRA NATH BANERJEA: I am coming to that point. Listen to me for a few minutes. My friend has referred to taxation. Now, the first condition of raising a loan is to place your finances upon a proper and stable footing. If you have a deficit, would anybody give you a loan? Nobody gives a loan to a bankrupt. Therefore if as the result of the taxation proposals which were outlined the other day, you have a surplus say of Rs. 40 to Rs. 50 lakhs, then your finances will have been placed upon a stable footing and you will be in a position to borrow. Our finances being placed upon a sound footing, loans will be possible; otherwise not. I do not think that we shall have long to remain bankrupts. Our potentialities are great and we have to use them for the purpose of the State and for the benefit of our people. Assuming then that our finances are placed upon a proper footing, assuming then that we have the power of contracting loans, I can think of no projects for which loans should be raised than those relating to the health, the lives and the happiness of the millions of our people. What have they done in the United Provinces? They have taken a loan of Rs. 2 crores for health, education and development purposes. What have they done in Bombay? They contracted a loan of Rs. 85 lakhs. Are we to be behind these provinces in a matter of national improvement and progress? Therefore, I say, let us not be frightened at the spectre of a loan. If you have a surplus, you pay out of it the interest and provide for the sinking fund. You spread the loan over say 30 or 40 years. Suppose it so happens that you are not able to pay off within the time that you have bargained for, what are you to do? You start another loan to pay off the old one and the new one comes into operation. This is done almost every day in every civilised country and there is no reason why we should not repeat the experiment here to the best advantage and interest of our country. Therefore my proposition is this: Here are these schemes coming on, anti-malarial

schemes and schemes for water-supply. I propose to lay them, as soon as they are ready, before this Council. I propose to lay a definite scheme of anti-malarial operations together with an approximate cost thereof and the rate of progress which these operations must follow. Then I will ask you to vote the money. The sum of Rs. 13 lakhs, what can it do for us? So, I have made a suggestion and my friend has willingly accepted it, and I am sure this Council will also accept it, because it places the whole question of rural sanitation upon a broader basis than had ever been the case. It opens out a new policy, a new outlook, a new vision for the promotion of the health of the province, and the proposition which my friend has accepted is this:—

"This Council recommends to Government that provision be made in the ensuing year's Budget for loans, and, if possible, also grants, to be made to district boards and municipalities for the improvement of local water-supply, and to carry out anti-malarial and other sanitary measures."

Dr. JATINDRA NATH MOITRA: I should like to omit the words "if possible." That is the crux of the whole question.

The Hon'ble Sir SURENDRA NATH BANERJEA: You agreed to this just now. This should suffice This proposition has been accepted by my friend the mover and I hope that the Council will assent to it.

Dr. JATINDRA NATH MOITRA: Very well. I agree.

Rai Dr. HARIDHAN DUTT Bahadur: I rise for a personal explanation—

The Hon'ble Sir SURENDRA NATH BANERJEA: Why should he speak now?

The DEPUTY-PRESIDENT: He wants to offer a personal explanation.

Rai Dr. HARIDHAN DUTT Bahadur: My humble submission to my respected friend is that he has misunderstood me wholly and fully. He perhaps has forgotten that there are two different kinds of diseases; one is preventible and the other not preventible. Malaria comes under the first category. It is a preventible disease and has not yet been prevented——

The Hon'ble Sir SURENDRA NATH BANERJEA: I rise to a point of order.

The DEPUTY-PRESIDENT: Rai Bahadur, that is not a personal explanation. You are supplementing your speech. You are not entitled to do that.

Rai Dr. HARIDHAN DUTT Bahadur: Then about the Government providing funds. I meant that Government should, in alloting funds,

provide adequately for preventible diseases and that even if taxation was found necessary, the country should be prepared for it.

The DEPUTY-PRESIDENT: You are not entitled to exercise a right of reply. Please sit down.

The following amended resolution was then put and agreed to:—

"This Council recommends to the Government that provision be made in the ensuing year's Budget for loans, and, if possible, also grants to be made to district boards and municipalities for the improvement of local water-supply and to carry out anti-malarial and other sanitary measures."

Franchise of Anglo-Indian Women.

Mr. H. A. STARK: In moving the resolution of which I have given notice, *viz.*,—"This Council recommends to the Government that the sex disqualification for registration on the electoral rolls of the Anglo-Indian Constituency, provided in rule 7 of the Bengal Electoral Rules, be removed, and that the Government of Bengal do make regulations providing that the women of that constituency be not disqualified for registration on the electoral rolls of the said constituency by reason only of their sex," I have the satisfaction of recalling that what I advanced in favour of the vote being extended to the women of my constituency, was received with approval, when, at the last session of this Council, the question of granting the franchise to the women of Bengal was under debate. The opinion expressed by several of my colleagues was that the conferring of the suffrage upon Anglo-Indian women was a matter entirely restricted to a community; that it affected solely a self-contained constituency; and that in no way clashed with the interests of the other constituencies in the Province. It was admitted that the position of Anglo-Indian women within their community is entirely different from that of women generally, and *purdah* women particularly, in the larger constituencies; and that by reason of their being generally educated; of their being in many cases wage-earners; of their being frequently rate or tax payers; and of their being in possession of a degree of equality with the men of their community not obtaining in most constituencies, it was only right that they should be admitted to the civic privilege of voters. In view of the then favourable attitude of my Hindu and Muhammadan colleagues to the proposal that the women of the Anglo-Indian constituency should receive the franchise, it is not necessary for me now to present arguments in support of my resolution; indeed, in a previous debate I stated all that can be said in favour of my proposition, and I would not weary this Council with a reiteration of the considerations which I then advanced, and which were acknowledged to be convincing. I would only say that to-day a small constituency, in many respects self-contained and isolated, seeks at the hands of the representatives of its more powerful sister constituencies, a civic right which it is

qualified to exercise, and which it can exercise only within its own bounc aries and without detriment to the interests of any other bodies. I appea to this Council confident that I shall receive nothing but justice for m constituents.

Mr. H. BARTON: The question of women's franchise has alread been discussed threadbare at a previous meeting of this Council, occupy ing two whole days, and creating profound interest. There were stron arguments advanced by the contending parties for and against it. As w know, the question on that occasion was more far-reaching having for it purpose the extension of the franchise to women as a whole, whereas th resolution before the House on this occasion restricts it to a particula section of women comprising the Anglo-Indian constituency. Sir, i will be remembered that many of the opposers of women's franchise base their objections largely, if not chiefly, on religious grounds. There wa the further objection that the peculiar national customs imposed upon th women of certain constituencies indispensable obligations which stoo seriously in the way of giving them the vote. It was also contended tha a position would be created which would act detrimentally to the candi dates of a particular constituency. It will, I feel sure, be readily admit ted by every member of this Council that none of these difficulties aris as affecting Anglo-Indian women for whom the franchise is now asked This being so the way seems clear. Besides its extension to Anglo-India women can in no way clash with the interest of other constituencies A large percentage of Anglo-Indian women possess franchise qualifications, and whatever objection other communities may have for shutting their women out of the franchise it cannot be advanced as a fair reason for shutting out a section of women who are not only not handicapped in the manner that most Indian women are, but are in every respect fit for the franchise. The attitude of this House on the previous occasion was, as far as I could gather, favourably disposed towards the removal of the sex disqualification as affecting the Anglo-Indian constituency and I do not think that this attitude has since changed.

Babu SURENDRA NATH MALLIK: I beg to support this motion and in doing so I do not like to repeat what has already been said by my friends who have spoken before me. We, on our part, can possibly have no objection to granting this request. I do not think there is much in the contention which is bound to be raised by some of my friends that this is the thin end of the wedge. They will say "you have now passed the resolution on behalf of Anglo-Indian women, to-morrow there will be a request for the women of other communities, and so on, till everybody will want it." I know there are extra clever men in this world, but if we consider the question dispassionately we will see that it is not fair to refuse this request. These ladies have nothing in common with our Indian ladies; their case is absolutely different from ours; many of them are wage-earners and most of them are educated for all ordinary

purposes, what objection can there be then to giving them the franchise, unless you think it to be the thin end of the wedge? I do not think you can put forward any legitimate objection, but it is impossible to convince a man who has started with a prejudice. That this is not the thin end of the wedge is quite apparent from the speeches of Messrs. Stark and Barton; you can all combine as you did on the last occasion and oppose it when it comes up again, as it is bound to come in a very short time. You can again raise objections, combine and vote against it, but why do you stand against this resolution to grant franchise to these particular women whose brothers, sons, husbands are all agreed that they should get the franchise. From your point of view, this may be the thin end of the wedge, but that is no argument. This resolution has, therefore, my hearty support.

Mr. HUSEYN SHAHEED SUHRAWARDY: It was with a sense of surprise that we saw the resolution of Mr. Stark admitted so soon for the consideration of the Council, as the matter was disposed of only last session after a heated discussion, and our conclusions affected the women of all communities alike including his own. We do not want to grapple with this problem year in and year out. We do not want to rend this House asunder on questions of such puny importance; it is indeed unfortunate that Mr. Stark should have raised this delicate communal question on behalf of his constituency, and placed us in an awkward situation, and it is strange that the gallant champions for Hindu and Muhammadan female suffrage did not send in their several amendments, and by such piecemeal resolutions seek to undermine our conclusions of last session. I say it is unfortunate that the matter should have come up before us, as it emphasises the difference between the Anglo-Indian community and ourselves for, in the consideration of this resolution, stress is laid not upon the separate interests which are the basis of communal electorates, but on the different cultures and the different outlooks which we hope will be bridged over in time, but which the Anglo-Indian community is, alas, for ever, by its acts, endeavouring to accentuate. Mr. Stark would have been wise if he had followed the need for solidarity and the wisdom of withdrawing the resolution and not seeking particular advantages or disadvantages which this Council has denied to the women of Bengal at large. Our position is made still more difficult as Mr. Stark has appealed to a large Council for a small boon for a sister community, but I feel I cannot but oppose the resolution on the ground that there should be no differentiation between the treatment meted out by the Council to the women of different communities.

Mr. J. CAMPBELL FORRESTER: It was not my intentions to speak on this subject, but when I find my Indian friend, the last speaker, state that because this is opposed to their (the Indian) ideas of treating their ladies that he considers that would be unfair to give the Europeans this privilege—not a very sound argument, surely—in other words it is their

idea and whether it is right or wrong they are going to force this idea on other communities who, according to my mind, hold more advanced views. Surely, there is no advanced thinker in this Council at the present day who would oppose giving the European ladies the vote. Think of the splendid work the ladies have done in the recent war, think of the splendid work they are doing on Municipal Councils and Board of Guardians at home. Why, in every phase of life they are showing themselves as fully equipped mentally as men. In a humorous way I might say that the three P's rule the world—The Press, the Pulpit, and the Petticoat.

I trust there will be no one so ungallant in this House as to refuse the privilege of the franchise to those who have shown themselves so capable to use this privilege with satisfaction to everyone; and remember the old adage: "The hand that rocks the cradle rules the world."

The DEPUTY-PRESIDENT: Professor S. C. Mukherji being absent his amendment falls through.

Rai Dr. HARIDHAN DUTT Bahadur: I sincerely regret but I feel it is necessary that I should rise to speak out what I feel and oppose this resolution. I am sincerely sorry, that I should have to oppose my friend Mr. Stark, but I fear that if this resolution is carried, it will give rise to a racial feeling which I, for one, will not countenance. If my friend came forward with a proposal to give franchise to all educated ladies and to ladies of social and educational standing, I might have supported it, but as the resolution is based upon a cleavage and depends upon racial considerations, he certainly cannot expect to have our support. This Reformed Council is going hand in hand with all the different communities in Bengal. We are grateful to the European community, to the Anglo-Indian community for the help, sympathy and toleration which they show for the drawbacks of the Indian community. I am really thankful to them for that, and I hope that whatever they do for their own Anglo-Indian and European communities they will take us by the hand and direct us to go along with them. Here, the proposal is altogether different. The proposal means this, that "you are lagging behind, so you can go to the devil, I shall go along alone." I appeal to my friends to look to that aspect of the question. If you want to give ladies franchise, give it by all means, but if you do not think all deserving, do not give it to one section only. But when you say I shall give it to A and B and not to C because you do not think C deserving, I do not think this is at all desirable.

I hope my friend the mover will not misunderstand me, and will see that I am opposing this on principle; if he comes forward with any proposal to give franchise to all those who are deserving, irrespective of caste or creed, then I shall be happy to support such a proposal.

The Council here adjourned for 15 minutes.

After the adjournment.

Rai MAHENDRA CHANDRA MITRA Bahadur: On the last occasion I submitted to the Council that our Indian ladies will want the franchise in the long run—

Maulvi MAHAMMED MADASSUR HUSSAIN: May I rise to a point of order? This resolution about female franchise was moved in the August session, and the decision of the Council was given on that occasion that females should not be given the franchise. Six months have not yet lapsed, and, therefore, no question can be moved regarding this matter now, because the Anglo-Indian women are part of the general body of women.

The DEPUTY-PRESIDENT: It is not the same session. The motion is quite in order. Proceed Rai Bahadur.

Rai MAHENDRA CHANDRA MITRA Bahadur: I found that that resolution was lost—the resolution moved by Mr. Bose. If Mr. Stark had brought forward a general resolution I would not have opposed it; I think in such a matter communal interest is not the question The resolution appears to me to be based on racial considerations. In these circumstances I am sorry I cannot support such a resolution as moved by Mr. Stark. I consider this resolution would have been properly understood by my countrymen if it had been brought forward as a general matter for all classes of women. Women's suffrage is not an easy matter, it requires a good deal of discussion, and after the discussion of the resolution moved by Mr. Bose, I do not think I need add anything more I therefore oppose the resolution.

The Hon'ble Sir HENRY WHEELER: On the occasion of a somewhat similar though wider resolution last session, I drew the attention of the Council to the fact that a resolution of this type, under the rules, was binding upon Government if carried, and in order that there may be no misunderstanding on the point, I mention it again.

So far as regards the attitude of Government and of official members, I said on that same previous occasion that it was not the wish of Government to exercise any pressure as to the manner of official voting, and each was perfectly free to record his vote in whatever way he thought best. The attitude of Government on this occasion will be the same.

On the previous resolution I did not, personally, record my vote, and I have not yet made up my mind whether I shall do so on this occasion, though I give my own personal view, for what it is worth, as being in sympathy with the attitude taken up by Mr. Suhrawardy and Dr. Haridhan Dutt. That is to say, in an issue of this kind, there are certain major arguments touching women as a whole, and there are certain minor arguments which apply to particular sections of women; as I read the decision of the Council which was come to last session, it was swayed by the major arguments. That being so, it seems to me that it is rather an unfortunate solution to try and modify that decision on a minor sectional issue, and for that reason, as I say, my sympathies

incline towards the attitude of the two members whom I have mentioned.

Mr. S. M. BOSE: I whole-heartedly support this resolution. The matter of women franchise has been lately debated upon at great length, and that debate proved conclusively that the case for the full grant of franchise to women was unanswerable. Unfortunately orthodoxy and prejudice gained the day for the time being. Now that this motion has been limited to one particular class—Anglo-Indian women—I am surprised that this should meet with any opposition, because in their case, there can be no question of their being dragged out of the *purdah* as some of my friends said last time; they are educated, they are able to go about and can attend the polling booths. So I do not understand the opposition that has been raised here to-day, and I would appeal to all the members here carefully to consider the matter and not to ride rough-shod over the wishes of a minority who have as much right as any of us. Their wishes do not appear to be unreasonable or wrong, and I see no reason why we should deny them the vote. With these few words, I beg to support the resolution.

Maulvi YAKUINUDDIN AHMED: I beg to submit that when the resolution confines itself to Anglo-Indian ladies the Council should have no objection as it had on the former occasion with regard to the ladies in general, that is Muhammadan and Hindu ladies who observe *purdah*. We see that Anglo-Indian ladies are working in public, in railways and banks and post and telegraph offices—even in this Council—and everywhere. I think, therefore, that when they are working as meritoriously as any man, and when there is no such apprehension as my Muhammadan and orthodox Hindu friends have, there cannot be any objection; it would be a graceful duty on behalf of this Council to grant this franchise to the Anglo-Indian ladies. I support the resolution of Mr. Stark and in addition, I beg to appeal to my Muhammadan and orthodox Hindu friends that this is a graceful act which they can perform at this juncture. With these words, I beg to support this resolution.

Mr. H. A. STARK: It seems to me, if I may say so, that most of the arguments that have been advanced against accepting my resolution, may be regarded more as arguments, why the resolution should be favourably entertained: My friend, Mr. Suhrawardy, said that it was a "puny" matter. Yes: it may be puny matter to him, but it is not a puny matter to my constituency. It may be a very small matter to him, but it is a fairly large matter to me. I do not feel that his is the right view to take of a matter which concerns a community which is admittedly small, a community which must naturally always expect (when it has only two representatives) to have no chance against the remaining 137 votes. It has been said that this resolution emphasises differences. I want to know who has the power to blot out these differences, which we would all

like to see disappear. You accentuate a difference, and then wish it was not there. There are differences—yes. Because there are differences, Government has given us different constituencies. We know very well that the framers of the Government of India Act, 1919, desired, possibly more than desired, that there should be no communal representation; but they were obliged to yield to the logic of facts, and they yielded to it by constituting different constituencies corresponding to the different classes and claims in the provinces. If it were not so, we should not have an Anglo-Indian constituency on the one side with an European constituency to which it is allied on the other side; nor should the Hindus have been separated from the Muhammadans. Within these walls I once heard it said that it is a Temple of Justice, and I come here to ask you in this very Temple of Justice whether my community is to be deprived of Justice simply because it is small. Because it is small will it be bullied by those that are stronger? We talk glibly of the protection of minorities, and is it in the way that my opponents propose that minorities are going to be protected in this Temple of Justice? Are we Anglo-Indians going to be swamped for no better reason than that numbers are against us?

Here is a question laid before the Council which in no way affects or concerns the home interests, the political interests, the social interests or any other interests or any constituency. It concerns only the interests of the Anglo-Indian constituency which I represent along with my colleague, Mr. Barton. You are called upon to accord the privileges which you have deliberately refused to the women of India. And because this House has refused this privilege to the women of India, that has been used as an argument why this privilege should be denied to my community also. The Reforms Bill very distinctly says that no class of women shall be disqualified for registration as voters by reason of their sex. What is the object of making this provision in the rules unless it is meant that some body should take advantage of it? I cannot understand the point of objection. Why should the privilege be refused to those whom it benefits? We are not forcing the franchise upon all women, but on those only who desire it. I may say honestly that we do not desire what we do not deserve. To apply one common measurement to the womanhood in India is ridiculous. One section will be always more advanced than another; and because some are not so advanced as others, is that an objection that should stand in the way of those that are advanced? Will a community which, owing to the circumstances of its social life, and through the more favourable opportunities which it has enjoyed, and which has established itself as a literate community, be deprived of the privileges that have been declared impossible to grant to Indian women? It has been said that it is a great pity that I have moved this resolution on racial considerations. I can tell you that it is not in that spirit that I have introduced it. The Reforms Scheme that has brought us into existence as a Legislative Council—that scheme itself has introduced racial

considerations. Are we wrong in claiming privileges which it was anticipated that one community or another would claim? Should we apply one uniform measurement, adopt just one standard and that the lowest and insist that every body should decline to its low level? Because unfortunately the majority of women of India have not the same standard of education either in quality or quantity as the women of the Anglo-Indian community, is it any argument why these should be relegated to a status which the members of this House think sufficient for the general womanhood of the province? If this Council has made up its mind to deprive my community of what I feel is their just due, I am perfectly satisfied in my mind that whatever I may say will make no impression on those who are determined not to be fair. But I may tell you that this is a test case, and by it will be proved whether those who all along have told us that they will look after our interests and protect our minority and see that justice, equity and fair treatment are meted out to us, sincerely meant what they said. The very fact of our being a minority should inspire the great majorities to look after our interests and to see that we do not suffer. "Trust us" you have said. I appeal to the sense of right in you, and hope what is of no benefit to some should not be denied to others to whom it is essential.

On the motion being put, a division was taken with the following result:—

AYES.

Ahmad, Maulvi Yakuinuddin.
Banerjea, the Hon'ble Sir Surendra Nath.
Banerjee, Rai Bahadur Abinash Chandra.
Barton, Mr. H.
Basu, Babu Jatindra Nath.
Biss, Mr. E. E.
Bose, Mr. S. M.
Dey, Mr. C. C.
Forrester, Mr. J. Campbell.
Chose, Mr. D. C.
Goode, Mr. S. W.
Hindley, Lt.-Col. C. D. M.
Karim, Maulvi Abdul.
Lang, Mr. J.
Mallik, Babu Surendra Nath.
Moitra, Dr. Jatindra Nath.
Ray, Rai Bahadur Upendra Lal.
Robinson, Major-General, W. H. B.
Roy, Raja Manilell Singh.
Stark, Mr. H. A.
Swan, Mr. J. A. L.
Wordsworth, Mr. W. C.

NOES.

Afzal, Nawabzada K. M. Khan Bahadur.
Ahmad, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Emaduddin.
Ahmed, Maulvi Rah Uddin.
Ahmed, Munshi Jafar.
Arhamuddin, Maulvi Khandakar.
Bhattacharji, Babu Hem Chandra.
Charmakar, Babu Rasik Chandra.
Chaudhuri, Babu Kisheri Mohan.
Das, Babu Bhishmadev.
Das Gupta, Babu Nibaran Chandra.
Dess, Rai Bahadur Pyari Lal.
Dutt, Rai Bahadur Dr. Haridhan.
Dutta, Babu Annada Charan.
Hussain, Maulvi Mahammed Madassur.
Kerr, the Hon'ble Mr. J. H.
Khan, Babu Devendra Lal.
Khan, Maulvi Hamid-ud-din.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Mitra, Rai Bahadur Mahendra Chandra.
Mullick, Babu Nirode Behary.
Naskar, Babu Hem Chandra.
Pahlawan, Maulvi Md. Abdul Jubbar.
Raikat, Mr. Prasanna Deb.
Ray, Kumar Shib Shekharaswar.
Ray Chaudhuri, Babu Brojendra Kisher.
Roy, Babu Bijoy Prosad Singh.
Roy Chaudhuri, Babu Saileja Nath.
Sarkar, Babu Rishindra Nath.
Sinha, Babu Surendra Narayan.
Stephenson, Mr. H. L.
Suhrawardy, Mr. Huseyn Shaheed.
Wheeler, the Hon'ble Sir Henry.

The Ayes being 22 and the Noes 33, the motion was lost.

Pabna Technical School.

Khan Bahadur Maulvi WASIMUDDIN AHMED: "This Council recommends to the Government that the Pabna Technical School, which is now maintained by the Pabna District Board, be provincialised."

Mine is a very humble resolution. It entails no very great expenditure to Government but it would give substantial relief to a poor district board like Pabna. The Pabna District Board has an annual revenue of Rs. 2,71,283 and its place on the list is third from the bottom in the Division. In the Rajshahi Division there are only two district boards which maintain technical schools, one in Rajshahi and the other in Pabna. Rajshahi with an annual revenue of Rs. 4,93,778 expends for Technical education Rs. 8,816 only, whereas Pabna with a revenue of Rs. 2,71,283 expends for the maintenance of the Technical School Rs. 15,472 annually. The question of the provincialisation of the Pabna Technical School has been hanging fire for the last eight or nine years. During the administration of the Eastern Bengal and Assam Government almost all the schools of Eastern Bengal were provincialised save and except the Pabna Technical School. It may be that because Pabna was situated on the south-western corner of the province, it came last, and before the institution could be provincialised the province of Eastern Bengal was amalgamated with West Bengal.

Along with the above fact there is another thing which I ask the Council to consider. Formerly this school received from Government a grant of Rs. 1,400 annually. Since 1913 that grant has been stopped. The District Board of Pabna has been trying its utmost ever since for the provincialisation of the school, and Government in its report always said that the scheme was under consideration. I humbly submit that if this resolution is accepted, it will entail no greater cost than Rs. 10,000. This school has a special claim to be provincialised because students in the upper classes come not only from Pabna alone but from various other districts, therefore it has the first claim on the provincial revenues. I shall quote here some remarks of the authorities on industrial education. The Inspector of Schools, Rajshahi Division, remarked on the 11th June, 1913—"I beg to propose that the Pabna Technical School be provincialised." Mr. Henderson, who also inspected the school, also opined "I may mention that the new Pabna Technical School is one of the largest schools. It comes next to Shibpur and Dacca in importance. If any of these institutions is to be provincialised, Pabna has the best claim." Then there was a conference, held at Rangpur in February, 1920, of the Managers of all the Technical Schools of the Rajshahi Division. This conference was presided over by Mr. D. H. Lees, Commissioner of the Division, and Mr. Heaton, Principal of the Shibpur College was present there. I laid all the papers regarding Pabna before them, and Mr. Heaton in his note on the proceedings of the conference

stated that he would advocate that Government grants for sub-overseer classes for the Rajshahi Division should be devoted to the Pabna Technical School. The idea was that at least one class in these schools should be kept for training sub-overseers and Pabna was considered to be the best for the purpose.

The Pabna school is situated on a very good site with a nice building costing about Rs. 89,000 of which Government paid Rs. 50,000, the balance being contributed by the district board. I may assure Government that if the school is provincialised, the district board is ready to forego all claims to the existing site and building of the institution. So I submit that the Pabna Technical School has the best claim to be provincialised. Mr. Lees, Commissioner of the Rajshahi Division, in his letter to the Secretary to the Government of Bengal in the Municipal Department, dated the 20th August, 1920, said, that the Pabna School was maintained by the district board, that the question of the provincialisation of the school was still under consideration by Government, that the Government grant had since been withdrawn, and that the district board's application for the provincialisation of the school had been forwarded to the Director of Public Instruction.

Of course after the surrender of the public works cess, the funds of the district board have swelled a little, but the demands are so very numerous and great that the funds are considered to be too small. In this year's budget we are confronted with a deficit of not less than Rs. 45,000 and we do not know how to meet it. There is no denying the fact that if the Pabna Technical School is brought under the control of Government it would serve many useful purposes. I may mention here that the existing building of the school is admired by all the visitors. The Hon'ble Minister in charge of Agriculture visited the institution in September last, and I can fairly hope that he was favourably impressed both with the site as well as the building. I can boldly say that this school, if provincialised, is sure to prosper and serve many useful purposes.

With all these remarks, I leave this matter to the Council with the hope that it will receive favourable consideration.

Sir ASUTOSH CHAUDHURI: I strongly support this resolution. I have been to this institution and have seen it, it is one of the finest types of buildings in Bengal. The building cost Rs. 90,000; Government contributed Rs. 50,000 and the balance, namely, Rs. 40,000 was subscribed by Pabna. There was a grant of Rs. 1,440 a year which has since been stopped, and the district board are finding it difficult to maintain it. Most of the members are aware that Pabna is a great centre of weaving. But at the present day a very large number of men have unfortunately given up weaving altogether. Pabna is trying to revive this industry again. The school has carpentry classes, weaving classes

and survey classes. So far as the laboratory and the necessary apparatus are concerned it is a great pity that it does not get any support. Since 1913 attempts have been going on to provincialise this institution but nothing as yet has been done. I feel that the Hon'ble Minister is responsible for carrying on these technical classes in Bengal, and if he gives his support I do not think there will be any difficulty in getting this institution provincialised.

Babu KISHORI MOHAN CHAUDHURI: I beg to support the resolution. Technical education should be developed to the utmost but for its growth the resources of a district board can not be relied upon. In provincialising technical schools no contribution can be insisted upon from the district boards. I think for the gradual development and growth of technical education in general it is necessary that a comprehensive scheme should be prepared and all technical schools, wherever they may be, should be provincialised. Now the question has arisen in Pabna and there can not be any doubt that this institution ought to be provincialised.

Raja MANILOLL SINGH ROY: I am very glad that my friend the Khan Bahadur, Chairman of the District Board, Pabna, and a member of this House, has brought forward this resolution. We, too, in Burdwan, have got such a school, almost entirely run from the funds of the district board, and I think there are similar institutions in other districts financed by district boards. I know very well the difficulties in doing so for want of funds. But the question is whether the Government should take into its hands the existing schools or should start new schools where there is a need for them but none exists, and I hope and trust that this question will be considered first, as the fund in the hands of the Hon'ble Minister is not unlimited.

Rai ABINASH CHANDRA BANERJEE Bahadur: The question that has been raised is a very important one. But it remains to be decided and found out by the Government whether a technical school should be provincialised or not. Of course, everybody admits that there is a great demand for technical education in the province. Well, perhaps, a suggestion might be made in this respect and that is this—one technical school situated in a central position in West Bengal and another in East Bengal would serve the purpose for the present and it should be left to the Minister to consider it. So, to adopt a resolution like the one that has been moved by my friend on the other side to provincialise a certain district board technical school is out of the question.

Maulvi YAKUINUDDIN AHMED: I beg to support the resolution moved by my hon'ble friend, Khan Bahadur Maulvi Wasimuddin Ahmed. The Pabna District Board is not a very rich district board

and every case should be judged on its own merits. Of course, Government may say that if one technical institution is provincialised the other technical institutions supported by other district boards shall have to be provincialised, but Government ought to see the resources of the Pabna District Board and other district boards, such as Burdwan. Burdwan is a rich district board of which my friend, Raja Maniloll Singh Roy, is the Chairman and I think the Raja will not grudge the support that is asked for, for the Pabna District Board. Then there are other district boards. My friend behind me, Maulvi Emaduddin Ahmed, also has got a technical institution in Rajshahi that is supported by the district board there, but my hon'ble friend, the mover of this resolution, has already said that the Rajshahi District Board has an income of nearly Rs. 5 lakhs, whereas the Pabna District Board has an income of Rs. 2 lakhs. Therefore, each case should have to be judged on its own merits and so I do support what is urged for, because the proposal of the Pabna District Institution is a reasonable one and Government should accede to it.

Babu SURENDRA NATH MALLIK: I beg to support this motion. This technical school has an excellent reputation and it is said that it is doing very good work The position of affairs is this that the district board cannot very well maintain it in that efficient condition in which it ought to be maintained; and, therefore, in order to keep it going in proper condition, it ought to be taken up by the Provincial Education Department. As regard technical education, it may be urged that it is a matter of funds, but funds, so far as it is concerned, the Provincial Government will have to find We cannot remain like this. If there is no fund, something must be done to find it out We have been told by the Hon'ble Minister that a big loan will be the panacea for all the evils. Let us try and have a loan and let us take these technical schools and put them on a sound basis. In these days, so far as vocational education is concerned, we must try to help them. There has been a good deal of neglect in regard to technical training, and I remember that Mr. Gokhale, in crying for it in 1909 in the Imperial Legislative Council said "we should spend so much for Technological Institutions—five millions—we want a large sum for capital expenditure, somewhere about 12 lakhs, and also a recurring grant for running expenditure every year but nothing has been done by the Government yet." Government has got to spend money in everything and can find money for any purpose that is required from the Government point of view, but when the question arises as regards technical education or things of that kind, the cry is that they have got no money. We have got to put an end to this state of affairs and we must ask the Government to take up the responsibility of giving the Education Department relief. If there is no money, we do not know whose fault it is. That we have got no money remains to be seen. We have not considered that question at all yet and this

question which is of vital importance ought not to be allowed to be destroyed for want of funds, because the district board is no longer able to maintain it efficiently.

Maulvi EMADUDDIN AHMED: In this connection all I have to say is that I cannot grude that the school be provincialised, but what my friends on the other side have said ought to be taken into consideration. It is not a single question, as they have pointed out, in the Rajshahi district, there is a technical school. The whole question and the condition on which contributions which the district boards are going to make ought to be taken into consideration and then only the question can be solved. The question is not to be solved piecemeal.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to support this resolution but it should be clearly understood that technical schools of our district towns have been found wanting and useless by the Industrial Commission. They simply train up amins. The fact must be looked in the face. There are certainly carpentry and smithy classes but they are of not much use. All boys that came out from the technical schools take to surveying as a profession. Therefore, by all means, have one technical school in each division, but let it be a properly equipped technical school and for that reason if money is required, the money should be provided for. It should not be a mere survey school. If you want to spend money—Rs. 10,000 each upon Pabna, Rajshahi, Birbhum and Burdwan, in this way—Rs. 23 lakhs for a survey school alone, I say this will be a sheer waste and frittering away of money. Therefore, I say have one technical school properly equipped in each division and let it be a technical school, that is, industrial school and not a mere survey school.

The Hon'ble the NAWAB SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: This resolution raises a question of policy on which I should like to have the views of the Council. There are at present seven technical schools in the province of which four have been provincialised and are under the direct management of Government; the remaining three are managed by district boards. It may be urged with some force that the schools would be more efficiently and better managed if they were all provincialised. If this is done, Government can rightly insist on a contribution from the district boards. But the question is at present mainly a financial one, because it is clear that if we provincialise this school, it will not be possible to resist the claim of other district boards that their schools should be provincialised also. We shall only be able to spend a limited amount of money on technical and industrial education in the near future. We can spend it either in establishing new schools or in provincialising the existing schools. In view of the great demand now existing for vocational education, though I sympathise with the desire of the Pabna District Board to be relieved of this

item of expenditure, my own view is that we should spend such funds as become available on new schools rather than on provincialising the existing ones. I may add that the Pabna Technical School is already receiving the attention of the Director of Industries and he proposes to sanction for it a grant of Rs. 200 a month.

With these remarks, I leave it entirely to the consideration of the Council whether the funds at our disposal should be spent on establishing new schools or we should first provincialise the existing schools.

Khan Bahadur Maulvi WASIMUDDIN AHMED: My hon'ble friend first raised the question that, if the Pabna Technical Scohol be provincialised, Rajshahi would also claim such a chance. With regard to that, I can remind the Council that the Pabna Technical School is the oldest of its kind in the Province. Government has already expended Rs. 50,000, though the original contract was that the district board should spend Rs. 30,000, but owing to the outbreak of the European war, the prices of all materials went up and it had to provide another Rs. 9,000 thus spending Rs. 39,000, whereas Rajshahi with a revenue of nearly Rs. 5 lakhs has not expended more than one-tenth of what Pabna did. I do not grudge that Government will find its way to provincialise the Rajshahi Technical School. I have already quoted the opinions of the experts on technical education. Mr. Heaton as well as Mr. Henderson are the authorities on the subject. They are the best persons to say which of the schools should be taken up first; and they, in unequivocal terms, have expressed that of all the schools, as I have already quoted, the Pabna Technical School has the best claim and the first claim. The representative of the Rajshahi Technical School pressed the claim for his institution at the Rangpur Conference and Mr. Heaton in his note on the proceedings of that conference, distinctly stated that so far as the sub-overseer classes were concerned, Rajshahi had no claim and that Pabna was the only institution which could be provincialised and which could maintain sub-overseer classes. That disposes of the question as to which of the schools has the best claim and can be taken up first. In future Government may find it difficult to provincialise all schools but at the same time Government has to consider, as my friend has said, not only to do justice but to show benevolence and make some consideration for the weak and also to take into consideration whether the Pabna District Board with its present finance is able to maintain the school or not. Rai Jogendra Chunder Ghose Bahadur has said that the carpentry in the mufassal is nothing. There he has commited a mistake. Our carpentry class is not for teaching amins; it is intended for the artisans. There is a four-year course and the students are taught carpentry. They take of course sub-overseer course students and the zilla school boys also receive their education there. As to Burdwan—of course I am subject to correction—the proposal was made by Government to teach Government school-boys

carpentry in the sub-overseer classes which Burdwan School refused to do, whereas the Pabna District Board Technical School without raising the question whether Government would make any grant or not, and without any grudge, impart education, expend money, purchase wood and everything and the zilla school-boys are taught there. Moreover, I am proud to say that the Pabna District Board is the only board which expends a large amount of money. It gives scholarships to students for studying at the veterinary college and other technical schools also such as the Sibpur Engineering College.

Mr. W. L. TRAVERS: I rise to a point of order. Is there a quorum present?

Adjournment.

There being no quorum, the Council was adjourned to the next day at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under t provisions of the Government of India Act.

THE Council met at 3 P.M. on Friday, the 25th November, 1921, i the Council Chamber in the Town Hall, Calcutta.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members o the Executive Council, the Hon'ble the three Ministers, and 85 nominated and elected members.

Resolutions

(under tha rules for the discussion of matters of generel public interest).

The discussion on the resolution of Khan Bahadur Maulvi Wasimuddin Ahmed recommending that the Pabna Technical School be provincialised was resumed.

Pabna Technical School.

Khan Bahadur Maulvi WASIMUDDIN AHMED: In my statements yesterday, I am sorry to say that I made certain mistakes. With regard to Burdwan I said that it refused to give instruction to Government school-boys in carpentry. On inquiry I learnt that it is not true. With regard to the Rajshahi district board, I made a mistake. As a matter of fact I hear that scholarships were given to boys of several institutions.

However, now the only point before the Council is this. It was argued yesterday that if any particular school is to be provincialised, the whole scheme should be considered. Of course, that is a good suggestion no doubt, but the one important thing that must be taken into consideration is that this school is the oldest of its kind in the Rajshahi division and also the income of the district board is very limited. Recently by the appointment of the health officer and by the recent extension of the Vaccination Act to that district, the district board has been called upon to supply additional sums for these purposes. It has to provide for the entire expenses of vaccination as well as half the cost of health officer's pay and other incidental cost. So, it has become almost impossible for that district board to maintain the technical school with efficiency. I said yesterday that this year we have been confronted with a deficit of nearly Rs. 45,000. I beg that this Council will consider that on this institution Government have already expended nearly Rs. 50,000 and that the district board nearly Rs. 40,000. Besides it has got furniture and other buildings as well which are worth no less than Rs. 30,000.

There is a big boarding house attached to the school. It will be a matter of great pity if, owing to the shortness of funds, such an efficient institution, as the Pabna Technical School is, were to be closed. All the authorities of the technical school have with one voice said that this is the best institution of its kind and that it deserves to be provincialised in every way. Mr. Heaton and Mr. Henderson who are authorities on this subject have said that this institution should get the first consideration. The Pabna District Board has only an income of Rs. 2,71,000. This year we have got another difficulty to meet owing to the non-realisation of cess to the extent of Rs. 10,000. Considering all these various difficulties and also the fact that we have opened last year two new dispensaries and subsidised some doctors, it deserves special consideration by this Council. The suggestion, if accepted, will not entail a very heavy expenditure on the provincial revenues. It is a very insignificant figures in the eyes of a provincial financier, but it will afford substantial relief to a poor district board like Pabna. The amount involved is only Rs. 10,000 a year. So, I hopefully leave the matter to the consideration of this Council and hope that they will pass it.

The motion was put and agreed to.

Medical School in Chittagong Division.

SHAH SYED EMDADUL HAQ: "This Council recommends to the Government that immediate steps be taken to open a medical school in the Chittagong division."

Shah Syed Emdadul Haq addressed the Council in Bengali in support of his motion.

Babu ANNADA CHARAN DUTTA: This is a matter which is uppermost in my mind. At the same time in order to give practical effect to it, I saw the Hon'ble Minister in charge of sanitation and as a meeting of the Medical Committee has been fixed practically for discussing projects like this on Monday, I gave him to understand that I would withdraw this resolution for the present.

It was as follows:—

"This Council recommends to the Government that a medical school be immediately started in Chittagong."

Mr. D. C. GHOSE: Are you not a member of that Committee?

Babu ANNADA CHARAN DUTTA: Yes. I requested my friend, Shah Syed Emdadul Haq to that effect. Under the circumstances, I would ask your permission to allow this to stand over till after the discussion of the subject at the meeting on Monday and if that is not allowed for the present I wish to withdraw my resolution.

The resolution was then withdrawn.

Rai RADHA CHARAN PAL Bahadur: After what has fallen from my friend, I think that it will not be necessary to make any lengthy observation on this matter. As Babu Annada Charan Dutta has informed the House, the committee will meet next Monday and probably will make their final recommendation after having discussed the matter fully. If that is so, I do not think that the House would like to force their hands at this stage. I am sure that the effect of this resolution will be that the committee will expedite their proceedings and conclude their labours long before the budget so that some provision may be made in the next budget.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): I think that it is quite clear that the discussion of this resolution at this stage would be inopportune. The hon'ble member to my right, Babu Annada Charan Dutta, has made an observation to that effect. The matter is now pending before a committee. It meets on Monday next. We have received only an *ad interim* report. The matter being in one sense *sub judice*, the resolution will, I hope not be pressed. I therefore associate myself with the request made by my friend that this resolution should be withdrawn for the present pending the decision of the committee and when that decision has been arrived at, there will be time enough for the discussion of the subject.

Rai UPENDRA LAL RAY Bahadur: May we know how long the committee will take to come to a final decision?

The Hon'ble Sir SURENDRA NATH BANERJEA: It is very difficult to say. What I feel in the matter is this: either the proposition before the House should be withdrawn or the discussion should be proceeded with. I do not know whether under the rules it is possible to withdraw a resolution subject to a condition. It must be withdrawn or placed before the House for discussion. The proposal of my friend to my right is that the motion be withdrawn, but my friend, Shah Syed Emdadul Haq, adds a proviso to the effect that he is quite willing to withdraw provided the matter is taken up for discussion at an early date. I do not think that under the rules we can attach a provision of that kind to a motion for withdrawal. It must be a simple motion for withdrawal.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): There are two resolutions before the House—the first resolution is of Shah Syed Emdadul Haq and the second of Babu Annada Charan Dutta. Babu Annada Charan Dutta has withdrawn his resolution with the leave of the House. The discussion on the first will continue.

Mr. W. L. TRAVERS: Some time ago, at an early meeting of this Council, I believe in February or March, a resolution was introduced similar to the one now before the House for the establishment of a

medical school in a certain district in Bengal. Towards the close of that debate the Hon'ble Minister announced the policy of Government which was, if I remember aright, that a medical school would be established in every division in Bengal as funds were available and voted by this Council.

Now, Sir, I sympathise most sincerely and deeply with the mover of the resolution and with the people of Chittagong for the establishment of a medical school at Chittagong. I have lived many years in the mufassal in Bengal and I have seen from time to time the visitation of epidemics which sweep across the country-side—cholera, small-pox, influenza and malaria take a dreadful toll from amongst the labouring classes of the population. Any one, who loves this country and her people as I do, cannot fail to be deeply moved by an experience of one of these epidemics and cannot fail, moreover, to form a determination, each in his own humble way, to do what he can to mitigate the suffering caused by these epidemics in every way. Therefore, I am prepared to support anything which would deal with these epidemics. In my experience, I have always found that the district officers and the civil surgeons have done their best but have been prevented from doing their very best for want of medical attention. Although I sympathise so deeply with the mover of the resolution, there is one point to which I think it is my duty to call the attention of the members of this Council. The hon'ble mover must, I presume, be aware of the policy of Government. Why then, I ask, has he brought this resolution? Is it not with a view that the Chittagong division may obtain priority in the order of establishment of a medical school? Every argument that has been used by the hon'ble mover can be applied for the formation of a medical school at Jalpaiguri, the headquarters station of the Rajshahi divison! I can produce many more, each one worthy of deep consideration by the members of this Council. Hence I would suggest that the whole order of priority at any rate be left to the deliberations of a committee and that the members of this Council agree to abide by the decision of that committee. I beg to suggest, with all due deference to the hon'ble mover, that if he would add one sentence to his resolution such as this "in order of priority of establishment in regard to the other divisions as may be determined by an unbiassed committee" then his resolution would, I am sure, obtain the unanimous consent of the members of this Council.

Babu NITYA DHON MUKHERJEE: I have every sympathy with the object of the learned mover of this resolution, namely, that a medical school may be opened in the Chittagong division, but why this hot haste, I do not know and cannot follow. It has just been stated by the Hon'ble the Minister in charge of the Department of Local Self-Government that a committee has been formed. Moreover, a member of this Council from the Chittagong division, Babu Annada Charan Dutta, is a

member of that committee. Thus Chittagong will be fully and thoroug represented on it by Annada Babu who is an able speaker. Chittagor cannot say that it is not represented on the committee. The mover the resolution also cannot say that as Chittagong is not represente its needs will not be properly represented. If Annada Babu can satisf the committee, I am quite confident that a medical school will be opene in the Chittagong division. Then, again, we have come here not t consider the needs of any one particular district. The money that i provided in the budget is for the whole of Bengal and the needs of on district after another should not be considered separately. We shoul consider Bengal as a whole. Let the needs of the whole of Bengal com before us. Let the committee report that medical schools should b opened in so many districts and we may consider the needs of the othe districts afterwards. Let the report of that committee be considere by the members of this Council. The hot haste that this matter must be disposed of to-day is not at all reasonable especially in view of the fact that, as I have already submitted to this House, Chittagong is fully and properly represented on the committee. I therefore have every sympathy with this motion, but I strongly oppose the idea that this matter should be disposed of to-day.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I suppose that the consensus of opinion of this Council is that a medical school in Chittagong is an urgent necessity. The question is—shall we pass the resolution to-day or shall we wait the pleasure of Government? We know that we have passed hundreds of resolutions this session to which no effect has been given, and this may be one of them. There is no reason whatsoever that because a committee is sitting or that Government is considering the proposal that we should postpone the matter. We shall do our duty now. As matters stand at present, we are absolutely powerless. A resolution means merely an expression of opinion on the part of the Council. Until we are in a position to enforce our decisions on Government, these resolutions are practically useless except as expressions of opinion. The previous speakers have spoken in favour of the establishment of a medical school at Chittagong: so why not have it passed to-day? By merely passing this resolution we cannot force Government to give effect to it. Therefore, there is absolutely no harm whatsoever in passing it to-day. It is said that the committee's report will come before Government; you may be sure that it will not come before us. The fact that the committee is to consider the priority of other divisions is no reason why we should not express here our emphatic opinion that there should be a medical school established at Chittagong. Now we should remember that Chittagong is a frontier district. If any division requires a medical school at all, it is Chittagong before any other—it is far away from Calcutta; therefore, I say, the claim of Chittagong should not be ignored.

Mr. PRASANNA DEB RAIKAT: I feel it a great pleasure to rise to support the resolution which has just now been moved by Shah Syed Emdadul Haq. My esteemed friend has traversed the whole ground very lucidly and I do not think that I have got anything else to add. Moreover, this subject has been discussed, debated and laid threadbare from time to time both by the press and on the platform, and I believe Government has by this time realised the need and utility of the opening up of such institutions all over the province and is taking steps to bring about the desired end.

But yet I cannot but add a few words to what has been said and done along this line considering the importance of the subject and the slow and indifferent way it has so long been dealt with. In my humble opinion the question of sanitation is closely connected with and interdependent upon the establishment of medical institutions in the country. The Government being the custodian of public health must first of all, above all others, look to this matter. Here the question of finance should not stand in the way as far as possible, as it affects the health and life of the people. Is not the Government aware of the fact that thousands of our brothers and sisters are being carried away every year due to the prevalence of malaria, cholera and other such fell and contagious diseases in Bengal villages, to combat which no adequate arrangements have up to this time been made by the Government? Another point which I want to impress upon the members of the House and the Government is this; there are many villages in Bengal where we cannot find a single well-trained doctor and medicine except illiterate village *Kavirajes* and self-made physicians. You can well imagine what harm is being done by these quack doctors. Is not the public morally responsible for this sort of lamentable things in villages, where so many innocent lives are being removed prematurely due to the ignorance of men under whose care they are delivered? One cannot fail shedding tears looking at the horrible scenes in villages where so many poor people meet death simply for want of proper treatment and medicine. Now, as malaria, cholera and other diseases are eating into the vitals of our community and there is not a sufficient number of doctors to combat and cope with these diseases, it is desirable that Government should take early steps to establish medical institutions all over the province. On behalf of my constituency, I would most emphatically urge the Government to establish such a school at Jalpaiguri also as early as possible. I would ask the Government to pay special consideration to my district as it is well-known that Jalpaiguri and the neighbouring places known as Terai and Alipur Duars are hot-beds of malarial and blackwater fever and there are not sufficient doctors to combat them.

Many of our boys, though strongly desirous of going through medical training, cannot do so simply for want of accommodation in the present institutions which are only three in the whole Province and are

situated too far from one another. Instead of establishing secondary schools of the present day for manufacturing clerks, if more medical institutions are established then, I think, lasting benefit would be done to the community.

I resume my seat with these few words.

Mr. D. C. GHOSE: I cannot help thinking that my friend, Rai Jogendra Chunder Ghose Bahadur, has made a most unjustifiable attack upon Government by insinuating that while we are crying for more medical schools, Government are doing nothing in this direction. Nothing can be farther from the truth than to suggest this. What are the facts regarding this question? In the month of February or March last—I forget the exact time—I moved a resolution in this Council drawing the attention of Government to the very small number of qualified medical men in the province and asking Government to establish medical schools for training doctors intended mainly for the rural areas. The Hon'ble the Minister in charge of Local Self-Government took a most sympathetic attitude towards my resolution and it was passed by the Council. Within a fortnight or three weeks of the passing of the resolution, Government appointed a representative committee to go into the whole matter, *viz.*, where these schools should be established, what should be the curriculum, who should be the teachers and what should be the initial and recurring expenditure. The committee were asked to go into the question thoroughly. The committee met four of five times; and I must bring it to the notice of the Council that while my friend, Babu Annada Charan Dutta, is moving resolutions asking for medical schools here, there and everywhere, he is doing his duty as a member of the committee for he has attended only one meeting, so far. The committee have come to some tentative conclusions. These have been sent to the Minister who, I am sure, is giving his best consideration to them.

The Committee meet again on Monday next and will reconsider their tentative conclusions. Under these circumstances, I am surprised that Rai Jogendra Chunder Ghose Bahadur should say that Government are doing nothing in the matter. Surely, it is a travesty of language to say so. From what I have stated I am sure hon'ble members will realise that it is no good going on with this resolution. As a matter of fact, I know and I can say to members of this Council that the Hon'ble Minister himself is anxious to give effect to the recommendations of the committee so far as it lies in his power to do so. In fact he had asked the committee to hurry up and submit an *ad interim* report and that is why the committee had submitted some tentative proposals.

Khan Bahadur Maulvi WASIMUDDIN AHMED: What I intended to say has already been stated by the previous speakers. So I do not wish to waste the time of the Council.

The Hon'ble Sir SURENDRA NATH BANERJEA: I just want to make one or two observations with regard to this resolution. My task has been very much lightened by one of my friends on the left. The committee which is sitting at present was appointed at his instance and my hon'ble friend has been taking a leading part in its deliberations. As my friend himself has informed you, an *ad interim* report has been submitted and I think it is right and proper here to state that Dr. Hassan Suhrawardy, a member of the committee, has been taking very great pains in connection with the work that is before the committee. He has gone very thoroughly and very carefully into the whole question and has submitted an elaborate and carefully thought out report. I have gone through it and have read the tentative proposals which have been submitted to Government. I have asked the Public Works Department to test the estimates of Dr. Suhrawardy with regard to the building operations of these schools. There is another part of his recommendations which affects the teaching in these schools, and I have asked the committee to reconsider this matter, as the committee consists of a number of distinguished medical men. Therefore, as my friend has pointed out, it is a travesty of language and an act of gross unfairness to Government to say that they have been remiss and idle about this matter. I am most anxious to present to this House the report of the committee and to put the financial proposals for giving effect to those recommendations in the ensuing budget which will be laid before you. My friend, Mr. Travers, has just pointed out that it is the policy of Government to establish medical schools in each division. He has suggested Rajshahi and my friend over there has suggested Jalpaiguri as the proper place for the establishment of a medical school in the Rajshahi division. Government will have no objection to having two schools in the Rajshahi division, if the people would come forward with sufficient local support and hospital and other equipments. The more medical schools we have the better for the country. There is a deplorable lack of qualified medical practitioners and Government realise the fact fully. They are anxious to remove this complaint or minimize it, consistently with its financial resources. Therefore, the position is this—here is the *ad interim* report of the committee which in its two branches is being considered by two departments of Government. Financial proposals will be made with regard to that report, and I am most anxious to include them in the budget of the ensuing year and ask this House to vote a grant. As the matter is under consideration, it is obvious that it would be premature for this House to come to a decision. My friend, Rai Jogendra Chunder Ghose Bahadur, has observed: "Why should we wait on the pleasure of Government?" Nobody asks him to do so. As a matter of fact, the question is not now under the consideration of Government; it is in the hands of the committee; and I say it would be an act of discourtesy to the committee and a slur upon a body of your own, if you take the matter out of their hands before it is completed; it would be an act of discourtesy to the committee

to come to a decision at this stage. I would ask the House to reject this motion; and if my friend will not withdraw, I, on behalf of Government, must oppose it.

Rai UPENDRA LAL RAY Bahadur: I confess we have been placed in a very awkward situation. I also come from the Chittagong division. As the mover of the resolution who wants a medical school to be established at Chittagong——

The Hon'ble Sir SURENDRA NATH BANERJEA: I rise to a point of order. You were about to put this motion before the House when I got permission to say what I had to say on behalf of Government. You now ask another member to speak on the resolution, but I thought that after I had spoken no body would rise up and speak: that was at least my impression. I submit that that is not the practice.

Mr. W. L. TRAVERS: I move that the question be now put.

The DEPUTY-PRESIDENT: Rai Bahadur, I think you may go on.

Rai UPENDRA LAL RAY Bahadur: As the mover of the resolution does not intend to withdraw his motion, what will happen if it is passed? Will it not bind the committee which is going to sit on Monday next? Will it not bind them hand and foot? If the motion be rejected by the Council, the result will be that the committee will not be able to discuss it with reference to Chittagong. No doubt there is a necessity for such schools in Chittagong and other places, and the question of priority has to be discussed. But if we decide the point here, I doubt whether the committee will be able to disucss it again and their position will be very awkward. For these reasons I appeal to my friend, the mover of this resolution, to withdraw it for the present.

The DEPUTY-PRESIDENT: I understand that Babu Annada Charan Dutta wants to make a personal explanation in this connection, and I accordingly give him leave to do that.

Babu ANNADA CHARAN DUTTA: My friend, Mr. D. C. Ghose, has had a fling at me for my absence from the meetings of the Medical Committee. The only thing which I want to state here in this connection is that when I got the notice of the first meeting of the committee, it was too late and physically impossible for any man to come from Chittagong to attend that meeting. The last meeting was held without any notice being sent to me, for this I sent a formal complaint to the Hon'ble Minister; I believe Mr. Ghose knows this, and, if in spite of that a polished speaker like him blames me for my non-attendance at the meetings of the Committee, I cannot help it.

SHAH SYED EMDADUL HAQ addressed the Council in vernacular and said that he was not willing to withdraw his motion.

Mr. W. L. TRAVERS: May I suggest that the following words be added at the end of the resolution?—

"in order of priority of establishment to be determined by an unbiassed and impartial committee."

The DEPUTY-PRESIDENT: I allow you to do that.

Mr. D. C. GHOSE: May I know under what rule this amendment may be allowed?

The DEPUTY-PRESIDENT: I am permitting Mr. Travers to move his amendment under the proviso to section 37 (2) (Standing Order 30) of the Bengal Legislative Council Manual, which provides "that the President may, in his discretion, admit at any time any motion at shorter notice than that prescribed by any order, or may admit a motion without notice."

Kumar SHIB SHEKHARESWAR RAY: May I inquire whether an amendment can be moved if it is objected to by any member of the House?

The DEPUTY-PRESIDENT: Ordinarily it cannot be, but I would draw the attention of the Kumar to section 77 (1) (Standing Order 68) under which the President can suspend the order and allow the amendment. I, therefore, allow the amendement to be moved.

Babu SURENDRA NATH MALLIK: I would ask my friend, Mr. Travers, to remove the objectionable word "unbiassed" from the amendment. I am sure the proposal is under the consideration of the committee which is, I presume, unbiassed, and it is bound to be so. As there is only one member on the Committee who is biassed for Chittagong, it cannot be said that the committee as a body is likely to be biassed. I would therefore suggest that the word "unbiassed" be removed and the words "Standing Committee" substituted in its place.

Mr. W. L. TRAVERS: I agree to the omission of the word "unbiassed" only.

Professor S. C. MUKHERJI: What about the word "impartial"? Will it not reflect on the committee?

Mr. W. L. TRAVERS: I do not see any necessity to remove this word. I now move that the question be put.

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Henry Wheeler): The amendement adds to the confusion. I would draw the attention of the House to the fact that the amendment as worded has no sense. You cannot take immediate steps in order of priority to be determined by a committee.

The DEPUTY-PRESIDENT: The question before the House is that "this Council recommends to the Government that immediate steps be taken to open a medical school in the Chittagong division."

Since when an amendment has been moved that the following be added at the end of the resolution, viz., "in order of priority of establishment, to be determined by an impartial committee," the question I have to put to the House is that that amendment be made.

A division was then taken with the following result:—

AYES.

Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Arhamuddin, Maulvi Khandakar.
Charmakar, Babu Rasik Chandra.
Ghose, Rai Bahadur Jogendra Chunder.
Haq, Shah Syed Emdadul.
Huq, Maulvi Ekramul.
Karim, Maulvi Abdul.
Karim, Maulvi Faziul.
Mukherji, Professor S. C.
Nakey, Mirza Muhammad Ali.
Pal, Rai Bahadur Radha Charan.
Ray, Rai Bahadur Upendra Lal.
Salam, Khan Bahadur Abdus.
Travers, Mr. W. L.

NOES.

Addy, Babu Amulya Dhone.
Ahmed, Maulvi Azaharuddin.
Ahmed, Maulvi Emaduddin.
Ahmed, Munshi Jafar.
Azam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Basu, Babu Jatindra Nath.
Bhattacharji, Babu Hem Chandra.
Biss, Mr. E. E.
Bompas, Mr. C. H.
Bose, Mr. S. M.
Chaudhuri, Rai Harendranath.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Das Gupta, Babu Nibaran Chandra.
De, Babu Fanindralal.
Dey, Mr. C. C.
Dutta, Babu Annada Charan.
Duval, Mr. H. P.
French, Mr. F. C.
Ghose, Mr. D. C.
Goode, Mr. S. W.
Hopkyns, Mr. W. S.
Kerr, the Hon'ble Mr. J. H.
Khan Chaudhuri, Khan Bahadur Maulvi Muhammad Ershad Ali.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
Mitra, Rai Bahadur Mahendra Chandra.
Mitter, the Hon'ble Mr. P. C.
Mukherjee, Babu Nitya Dhen.
Nasker, Babu Hem Chandra.
Pahlowan, Maulvi Md. Abdul Jubbar.
Rahim, the Hon'ble Sir Abd-ur.
Robinson, Major-General W. H. S.
Roy, Babu Nalini Nath.
Roy, Mr Tarit Bhusan.
Roy Chaudhuri, Babu Sailaja Nath.
Sarkar, Babu Rishindra Nath.
Sinha, Babu Surendra Narayan.
Stephenson, Mr. H. L.
Suhrawardy, Dr. Hassan.
Swan, Mr. J. A. L.
Williams, Mr. C. Addams.

The Ayes being 16 and the Noes 43, the motion was lost.

The DEPUTY-PRESIDENT: I now put the original motion to the House. It runs thus: "This Council recommends to the Government that immediate steps be taken to open a medical school in the Chittagong division."

The Hon'ble Sir SURENDRA NATH BANERJEA: This is not, I submit, correct procedure. The mover having accepted the amendment, the proposition before the House is the original motion with the amendment proposed by Mr. Travers. That was lost. Therefore, the original motion automatically falls through.

The DEPUTY-PRESIDENT: No; that is not correct. The motion was that the amendment be made. That was lost. The original motion still awaits the decision of the Council.

A division on the original motion was taken with the following result:—

AYES.

Afzal, Nawabzada K. M. Khan Bahadur.
Ahmed, Maulvi Rafi Uddin.
Ahmed, Munshi Jafar.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Arhamuddin, Maulvi Khandakar.
Bhattacharji, Babu Hem Chandra.
Charmakar, Babu Rasik Chandra.
Chaudhuri, Rai Harendranath.
Das, Babu Bhishmadev.
Dess, Rai Bahadur Pyari Lal.
Dutta, Babu Annada Charan.
Ghose, Rai Bahadur Jogendra Chunder.
Haq, Shah Syed Emdadul.
Huq, Maulvi Ekramul.
Karim, Maulvi Abdul.
Karim, Maulvi Fazlul.
Nakey, Mirza Muhammad Ali.
Raikat, Mr. Prasanna Deb.
Ray, Kumar Shib Shekhareswar.
Ray, Rai Bahadur Upendra Lal.
Roy, Mr. Tarit Bhusan.
Roy, Raja Manilall Singh.
Roy Chaudhuri, Babu Sailaja Nath.
Salam, Khan Bahadur Abdus.
Suhrawardy, Dr. Hassan.
Suhrawardy, Mr. Huseyn Shaheed.

NOES.

Addy, Babu Amulya Dhone.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Azaharuddin.
Ahmed, Maulvi Emaduddin.
Azam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Basu, Babu Jatindra Nath.
Biss, Mr. E. E.
Bompas, Mr. C. H.
Bose, Mr. S. M.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Das Gupta, Babu Nibaran Chandra.
De, Babu Fanindralal.
Ghose, Mr. D. C.
Goode, Mr. S. W.
Hopkyns, Mr. W. S.
Kerr, the Hon'ble Mr. J. H.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
Mitra, Rai Bahadur Mahendra Chandra
Mitter, the Hon'ble Mr. P. C.
Mukharji, Babu Satish Chandra.
Mukherji, Professor S. C.
Nasker, Babu Hem Chandra.
Pahlowan, Maulvi Md. Abdul Jubbar.
Rahim, the Hon'ble Sir Abd-ur.
Robinson, Major-General W. H. B.
Sarkar, Babu Rishindra Nath.
Stephenson, Mr. H. L.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wheeler, the Hon'ble Sir Henry.
Williams, Mr. C. Addams.

The Ayes being 27 and the Noes 36, the motion was lost.

Allotments to reserved and transferred subjects.

Babu SURENDRA NATH MALLIK: "This Council recommends to the Gowernment that at least 40 per cent. of the total revenues of this province be allotted for being spent by the 'transferred' departments, excluding such sums as might have to be allotted to the Public Works Department for works of construction and maintenance in connection with the 'reserved' departments."

I have no doubt that very little argument is required for its acceptance by the non-official members of this House. I have also equally no doubt that no amount of argument will be sufficient to convince the Government members of the reasonableness and propriety of the claim made by me by this resolution. Therefore, though the matter is one of vital

importance to us. I do not propose to make any very lengthy speech by making long quotations from Reports and Blue Books. Suffice it to say that neither the Government of India Act, nor the Devolution Rules, nor any of the holy codes of officialdom lays down any hard and fast rule as to in what proportion should the entire revenue of the province be divided between the two departments of the Government, *viz.*, the reserved and the transferred. The matter is absolutely open.

During the last budget discussion, I drew the attention of the House to the most unjust and inequitable division of the revenues between the two departments. I am sure there was not one Indian who did not feel this injustice just as keenly as myself. We were then new to the situation, and so, I must frankly confess, the members here could not do much nor could we expect much from our Ministers then, to remedy this grievous wrong done to us. According to figures supplied to me by my hon'ble friend Mr. Marr (I do not know whether he will rise to a point of order for calling him my friend), I find that the total revenue of the province budgeted for this year was Rs. 10,47,95,000. Out of this total only Rs. 3,98,67,000 or about 37 per cent. was allocated to the transferred departments, *i.e.*, the departments transferred from the tender care and love of the Government which have been kept reserved only for the other. But, Sir, this amount of Rs. 3,98,67,000 is not really what this God and Government forsaken departments actually got. From it you have to deduct Rs. 75,20,000 that is the rough figure Mr. Marr has given me which was smuggled into it through the Public Works Department—a branch of the transferred—with the aid of a questionable fiction, *viz.*, that the monies allotted for buildings for the reserved departments are to be considered as monies allotted to the transferred departments because they have only got to be spent through the latter. This artificial method of augmenting the total amount is only an eye-wash. Actually, therefore, only Rs. 3,23,47,000 was allotted to the transferred departments out of the total of Rs. 10,47,95,000. By a simple rule of arithmetic in which, I fear, I am not proficient I believe this works itself out to only 30 per cent. of the whole. As this is unquestionably unjust and improper, I have taken it upon myself to move this resolution by asking for 40 per cent. only in place of 30 per cent. I do not think that regard being had to the vast amount and urgent character of our present-day necessities, any claim could have been more modest and more considerate.

This is a demand which I am making, for what the Hon'ble Minister in charge of Sanitation and Self-Government has so aptly styled as the nation-building department. Our necessity for materials for building up this vast national edifice is unquestionably great. No Reformed Government is worth the name unless there is any desire on its part to pay greater attention to the acute necessities of the people in the shape of better sanitation, broader education and better facilities to the people for having at least one square meal a day. I therefore think that there can be no question about the propriety of this demand which has to be

met from the very taxes paid most largely by those very suffering, ignorant and starving people themselves.

It cannot be questioned that the poorer sections of the agricultural people contribute most largely to the finances of the State. This is not merely my own assertion, but is the deliberate opinion of Mr. O'Connor, late Director-General of Statistics, as given in his note. The question therefore necessarily arises whether they get back sufficient value for the money they pay.

The answer to this question I do not propose to give on my own responsibility. It is best supplied by the admissions of the Government itself made in their own reports in these departments of popular service. Let me take item by item.

Regarding Sanitation: At page VII of the Annual Administration Report for 1918-19, I believe every one has been supplied with a copy, there is this unavoidable admission, *viz.*, "Malaria of a severe"—we call it a deadly type—"also prevailed causing a largely augmented death-roll." This is an admission of the Government itself. As a result mainly of these adverse factors as well as of unfavourable economic conditions, the death-rate for the Presidency rose from 26 to 38 per 1,000, *i.e.*, 50 per cent. increase. Let us pause and think over this. Sir, during the last 30 years the officially recorded death-rate in India shows an increase from 28 to 36 per 1,000 and in Bengal according to that report it has gone up to 38 per 1,000 in 1918-19, but it is significant that during those 30 years, England has succeeded in bringing down her death-rate from 20 to 15 per 1,000 and it is certainly less to-day. These facts give a clear answer to the question whether sufficient efforts have been made and whether sufficient money has been spent by the Government for better sanitation in a province in which in 8 out of 26 districts the death-rate is very much larger than the birth-rate and where the people have justly been called a dying race. In this connection, I might say that the only practical work that the Government does is to give quinine to the people to sell it. It is a shame to Government that by selling quinine in such a lamentable country and to such a dying race it is getting increased profit every year and in the year 1918-19 the net profit was Rs 10,68,000 by the sale of quinine, in 1919-20 it rose to Rs. 5,39,000, in 1920-21 it rose to Rs. 7,62,000. This is efficiency indeed. Even a national calamity has been made a paying business and blood is being squeezed out of dry bones. This is unquestionable efficiency of a high order!

I come to the next subject—Education—I again depend on Government Report, namely, the report of Mr. Biss on primary education which is a very worthy and instructive document. In this report, a copy of which I am sure has been supplied to all members, you will find at page 58 that Bengal is very far behind Madras, a province which my esteemed leader used to call "the benighted province" and an immense distance behind Bombay in the direct part taken by Government

and local bodies in providing schools for people. The percentages of public institutions are—Bengal 6·9, Madras 26·9 and Bombay 80·7 per cent. Facts speak for themselves, no amount of argument can stand in face of them. Even the most able and eloquent man here will not be able to get out of this difficulty when the facts are so inconvenient to them.

The report further says "that the existing expenditure on primary education, low though it is in India as a whole, is deplorably low in Bengal as compared with other provinces." While in Bombay Rs. 12·9 is the average annual amount spent for educating a boy it is only Rs. 3·5 in Bengal. Then, again, the expenditure from provincial resources, is distributed over the whole of the population then it averages ·029 per head in Bengal and ·265 in Bombay, *i.e.*, 9 times more. Is it not clear then in all conscience that more money has to be spent in Bengal by Government for education.

Then, Sir, I come to the question regarding Agriculture, Irrigation, etc. The facts are still more disappointing. In these departments everything remains to be done while the economic conditions are getting more distressing every day. Let the Government say with its hand on its heart (if it has any) how much has been spent by it during the last 25 years on irrigation, drainage and protective embankments. The Administration Report of 1918-19, at page VI, frankly admits that as regards irrigation the work is rather defensive than irrigation proper. Excellently evasive phraseology has no doubt been very cleverly invented for the purpose. "Defensive" in this case means negative which means "inactive." In that report and there it has been said that "drainage and control of river courses are the main lines of activities." May I ask, what has been done in this direction during the last 20 years? I answer this question. It is very, very little, if nothing. Let the Government contradict this by giving facts and figures. I am sure they will not find the task to be at all encouraging.

Regarding Industries: What has been done? A remarkable progress has been made, indeed? In the face of the fact that there is little or no industry in the country worth the name a number of officers, six or more on fat pay, enjoying good travelling allowances and with no work to do have been appointed and a house has been hired in Free School Street on Rs. 4,000 a month and for the partitions and fans of which over Rs. 3,000 was sanctioned this year. Really a worthy successor of the now famous Munitions Board. Considerable industry has been indeed in making this busy beehive which requires ruthless des
Is this the method of helping a poor country for its industri
tion?

Sir, I do not like to take up more time by going int
It is abundantly clear that we must have more mone
departments which means "ourselves" and I do n

the Government can refuse this demand—"ourselves first" must be our watchword and battlecry.

Sir, in this connection I must say that I expect the Hon'ble Ministers to throw off unhesitatingly their official mask and support us with all the weight of their position. It is for giving them facilities for their respective works that I am moving this resolution. If they get more money, they will be able to justify their existence better. They will be able to be of more use to their motherland to secure more co-operation from the public in their work. If we get this demand we, on our side, shall also be able to get more value out of them and our attachment to them would naturally increase. Let them therefore decide their correct course of action and support the demand. They are here to fight our battles and I am sure they would not be found wanting. My intention is to strengthen the hands of our Ministers who must insist on getting more money for us if they really mean to represent our interests and serve the cause of our motherland. Sir, during the last budget discussion, I expressed my regret (this very regret) that the budget was framed on the old traditional lines in the matter of the allocation of the provincial revenues. The Hon'ble Mr. Kerr in reply to that was pleased to point it out (and I quote his words) that "the Reformed Government had to deal with the budget in less than a week and the Ministers, as sensible men, had to accept the situation; they could not raid the reserved departments and grab money for schemes on the transferred side." Excellent plea, indeed! It is for this reason that we, as sensible men, did not find fault with our Ministers then. On that occasion they were new to the office; the ropes were not in their hands. Why should we quarrel with our own men, our own trusted leaders? That is the reason why I have given notice of our demand in sufficient time and months before to signify our desire as regards this matter, so that there might be no question of delay or any misapprehension about it: and we ask our Ministers not to be so sensible or modest this time. They must be prepared to raid the reserved departments, if necessary, when the time comes and if they fail or hesitate to do that then they will be wanting in their duty and lose our support. And it will be then for us to lend our support to them.

With these words, I beg to place this motion before the House for its acceptance. I have made a very modest demand of 10 per cent. more than we have given, namely, Rs. 323 lakhs; and that is all I earnestly hope that the members who have got the true interests of the motherland and of the broken-hearted and dejected people suffering from malaria and in every way almost in a wretched condition who require uplifting. I hope you will lend your helping hand to your suffering brethren in the struggle for existence, so that our Ministers may spend more money. With these words, I commend my resolution.

Babu KISHORI MOHAN CHAUDHURI: I whole-heartedly sup- resolution. Division of funds is absolutely necessary. Sani- culture and education are subjects of the nation-building

departments. Without funds nothing can be done. We must exist first and then think of other things. Yesterday's debate showed what amount is necessary for effecting sanitary improvements. The improvement of the natural drainage of the province requires a large amount of money and there are projects ready. We must be prepared to spend a large amount for the improvement or rather the restoration of the natural drainage of the country. Then we require a very large amount of money for the supply of good drinking-water. Yesterday my friend, Dr. Moitra, asked for a grant of Rs. 13 lakhs; and we see that that amount will be necessary if we really are determined to improve the supply of good drinking-water. Can that be denied? Then comes the question of medical relief; the eradicating of malaria and the taking of measures for suppressing preventible diseases are matters which require a large amount of money. Then comes agriculture—though I do not place much importance on theoretical education as regards agriculture. In other civilised countries, much has been done by the introduction of scientific agriculture; but in India, though she is under the Government of one of the most civilised nations on the face of the earth, agriculture is still in its primitive state. Over 9 per cent. in India live on agriculture, but what have we done for them? We have done nothing practically. Though in Bengal we spend some amount of money still a greater proportion of it is swallowed by experiments and travelling allowances and high salaries of officials; but nothing is spent for the practical improvement of agriculture. As regards education, whether we should spend much for theoretical education or not or whether we should introduce compulsory education or not, are open questions, but what is certain is arrangements for imparting vocational education are urgently needed. The question of unemployment and the difficulties of the middle classes stare us in the face. For these purposes we require much money. It will not do to say that the transferred departments are getting 30 per cent. as, of this, a crore or more is spent by the Public Works Department. It is only mythical and of no practical use. For various departments, building works are necessary and all these things taken together are shown as an allotment of a very heavy sum for the Public Works Department. I do not care if a large amount is spent by the Public Works Department. But what I care for is that arrangements should be made for our existence. If these things are to be done, the question arises how they can be done. My friend, Mr. Mallik, demands a very modest proportion, *viz.*, 40 per cent. which is not much. Out of 10 crores he wants a little over 2 crores for education alone. Under the present arrangement, it would require over a crore. Again, a large amount of money was set apart and was granted by the Government of India for the improvement of sanitation—I believe it was about a crore or so. This year we have, however, spent everything for purposes of general administration, namely, for the maintenance of the police and other departments. It is not reasonable that in this way

money should be frittered away, and nothing should be done for matters which are necessary for the very existence of the people. I congratulate my friend, the mover, that such a proposal has been brought at this stage. Before the budget is prepared, let there be a division: let us know what amount can be spent in this way, and then we can formulate our proposals, and think of some practical measures for sanitary improvements, agriculture and so forth; but do not at the last moment say that so much is necessary for police, justice and other things and that practically nothing can be reserved for the improvement of education, agriculture and sanitation. So, I think, it is high time that definite arrangements should be made. We should know what we can expect for purposes of sanitation, agriculture, education and especially for vocational education. Then only can we proceed smoothly and we can be of some use to the public. Often we are asked for what earthly purpose we have come to the Council. I confess that we can give no proper reply. We are always faced with a heavy deficit and we are always pressed for making arrangements for additional revenue, but we can do nothing for measures which can be of real benefit to the people.

With these observations, I whole-heartedly support the resolution.

Babu NIBARAN CHANDRA DAS GUPTA: When I first went through the long list of resolutions on the agenda, it struck me, that most of them, or at any rate the major portion of them, were inopportune and untimely; and I included the resolution under discussion amongst them. That is to say, I considered it rather inopportune, because I thought that the proper time for considering the ratio of expenditure of public revenues, by the different departments, would be the budget-time. But I confess, I have changed my mind and my reasons are these for doing so: First of all, we have no hand in preparing the budget-estimates, and further, we have to grope in the dark in discovering the principle on which the ratio of expenditure between the transferred and reserved departments is fixed. Last year we were told by the Hon'ble the Finance Member that the ratio of expenditure between the transferred and reserved departments was 35:65. I remember to have said in my budget-speech, that there was nothing to show on what principle that ratio was fixed and the Hon'ble the Finance Member had nothing to say with regard to that point. Then, it strikes me, that it is really the transferred departments with which we are most concerned; they have been described either seriously or sarcastically as the "nation-building departments." Whether we shall be able to build up an "Indian nationality" or not, it is certain, that we must live as a race, and we cannot allow our people to be decimated by the scourges of malaria, cholera, kala-azar, etc., or to allow our people to die like flies. Look at the great infant mortality, that shows that we are a dying race;

and it is time we should put forth all possible efforts to save this race. Then, the second point is, that if we have to live like men, *i.e.*, civilized human beings, we must have to spread education and to combat the dense illiteracy of the masses. With regard to "Education," our position is very ludicrous. I can mention one instance. You all know that the Hon'ble Minister in charge of Education is an amiable and accommodating gentleman. With regard to a village school, with which I am connected, I brought to his notice that the school was in a very bad financial position on account of the falling-off in the number of scholars due to the non-co-operation movement and told him that it would not at all be difficult for him to help the school with Rs. 1,000 or even Rs. 500. Do not you think, gentlemen, that it is extremely ridiculous that the Minister in charge of Education of a province like Bengal could not spare even Rs. 500? I approached the Director of Public Instruction and also the Inspector of Schools and thus through the whole rungs of the ladder, with no better result. That is the position of "Education" and with regard to "Primary Education," the learned mover has pointed out our position and I do not think it requires repetition. Our position is ridiculous in another way. We have got our popular Ministers, but are these Ministers really popular? What work can they initiate? What new projects can they take up which are calculated to improve the sanitary, educational and industrial needs of the people? What tangible good can they render to the people, to justify themselves? Really their position is pitiable. Our popular Ministers have become unpopular. If they had funds, if they could initiate projects, which might be appreciated by the people; they could capture the imagination of the people, and this outcry against the "Reforms" would have been silenced to a great extent. It is said that we have control over the purse; but what kind of control have we over the purse? Now the purse is empty so our control is *nil*. If the reserved subjects swallow the main portion of the revenues over which we have no control and if item after item goes to the non-voted list of the budget, if our Ministers have to put their demands at very low figures, what is the meaning of our voting the "supplies"? No doubt that becomes meaningless. We are fully alive to the good intentions of the Government, but unless those good intentions are translated into action, they never catch the imagination of the people and such intentions are never appreciated. You are aware, Sir, and the whole House is aware, that when these popular Ministers are approached by the people for removing any grievance, the only answer that the Minister can give is this: You have to tax yourselves and raise loans. ("Here," "here.") We must raise taxes, if necessary, and we are prepared to incur loans, if such loans are needed, but not before we have spent the last available *pie* of our revenues for the good of the people, and if there is a deficit, then and then only can we resort to loans and taxes; this is the soundest Political Economy. We are now

concerned with the available revenues, and the question is how the available revenues should be disposed of. The Hon'ble the Finance Member has got to make provisions for maintaining the reserved departments and certainly they have to be kept up that is also necessary for good government and administration of the country. There is a good deal of force in that, but it is absolutely necessary, that there should be retrenchment all round. The other day His Excellency referred to certain items of retrenchment, but I think they do not go too far. There should be ruthless retrenchment in all departments, if we are to save the situation. We are faced with a huge deficit and unless we set ourselves about the task of retrenchment and avoidance of wastage, I do not know where we should stand. It has been pointed out by Babu Kishori Mohan Chaudhuri that last year or rather this year, a large amount of money which was earmarked for the nation-building departments, such as education and sanitation, was eaten up or swallowed up by the reserved departments. It is for that reason alone, that I find that during this session, and the last two sessions, motions were proposed with regard to the formation of a retrenchment committee. But those motions never came up before the Council for discussion—unfortunately they were balloted and placed at the bottom of the agenda. You know full well that even in England after the war, there was a great outcry against wastage, and there was an anti-waste campaign. Such a campaign should be organised in the province of Bengal and after applying the pruning knife to all the departments we should see where we stand and then and then only can we resort to new taxes and loans, if necessary. But if you allow the present state of things to continue, we will starve the nation-building departments, and we stop the beneficial projects which are appreciated by the people and which will do real good to the people. If we can carry out those projects then and then only can we justify "ourselves" before the people and say a few words in favour of the Reforms, which have been deprecated by a certain section of the people. In my humble opinion, as Babu Kishori Mohan Chaudhuri has pointed out, my friend, the mover of the resolution, has placed the ratio rather at a very modest figure. He demands 40 per cent. for the transferred departments; I think 50 per cent. would be the proper figure. However, as in the last part of the resolution, he has put down that the expenditure under the reserved departments, which are in the hands of the Public Works Department should be excluded and after excluding that amount, the available revenues should be divided into this proportion of 40 and 60 per cent.

I think that if this is done, then what I am going to suggest comes to this, the transferred departments will have about 50 per cent. and the reserved departments a little over 50 per cent. I cannot vouch for the correctness of my statement. That is my idea if I remember the budget discussions of last year.

Then, Sir, it is very curious that not only the country but this House too demands more money, on every conceivable subject. I ask you to go through the list of resolutions—I am sure that most of them will not come up for discussion—and you will find that no less than 30 resolutions demand a large amount of outlay; the rest being about miscellaneous subjects or subjects dealing with retrenchment. That being the case, I would submit that this resolution, which has been moved so eloquently by my friend, Mr. Mallik, should be accepted whole-heartedly by the House. Of course, I do not know the mentality of the official members with regard to this subject.

Here the member having reached the time-limit had to resume his seat.

Kumar SHIB SHEKHARESWAR RAY: This is really a resolution which should have been moved by our responsible Ministers themselves in the *sanctum sanctorum* of the Bengal Cabinet and perhaps there would have been no occasion of moving it here if we could be certain that our own Ministers have properly represented the case of their departments. Even this debate they find uninteresting and honour us by leaving the Council for perhaps a smoke outside. (Cries of "order," "order.") It is already the end of November and the budget must have already been drafted. But have the Ministers discussed with their Standing Committees or with any other member even informally as to what amounts are likely to be available for their departments or is it more likely that they have settled down to that placid state of contentment that the reserved subjects should have priority and they must be satisfied with the crusts and crumbs, the refuse of the high table of the reserved subjects? May be the hobby of a united front has carried them so far. Our Ministers are our representatives and very able representatives and we sincerely hope that their ability would not consist in mere acquiescence. We expect them to strive to secure adequate funds for the long-neglected departments which for us hold in trust. Whenever proposals for retrenchment emanate from the innermost circle we have always found that education and sanitation suffer the most, while expenses over the police and general administration go on as merrily as ever—rather more merrily. Even under the ancient régime in the pre-war days, the present transferred departments used to get over 30 per cent. of the total money available. But when war broke out and retrenchment was the cry, what did we find? What were the departments most retrenched—education and sanitation. The proportion allotted fell to about 20 per cent., while the money spent on the police went on mounting. It is a sad lesson we have learnt. And we are afraid that now again when money is scarce and retrenchment must be talked of in high quarters, these ever suffering departments may suffer once more. In supporting this resolution I do not so much support

the very wording as their import. It is quite possible that the allocation of the exact proportion may not be feasible or practicable. More may be given or a little less. But the principle underlying must be adhered to and sufficient funds must be made available for the departments which have been transferred to our responsible Ministers.

Mr. BIJOY PROSAD SINGH ROY: First of all I must congratulate the hon'ble member for placing this resolution before the House and I am sure that in doing so he voices the opinion of the whole country. It is no use denying the fact that the most unnatural and injudicious distribution of the departments of the Government into transferred and reserved subjects has been the most vulnerable point in the constitution and the opponents of the new constitution have directed their strongest criticisms against this system. The most important departments of the Government such as the departments of sanitation, education, industries and agriculture have been transferred to our Ministers. These are nation-building departments as the hon'ble members more than once repeated, but these are the departments which have been most neglected. We, the representatives of the people, demand in their name that this indifference must not be continued. I am glad that reaction has already set in. Whenever the Minister in charge of the Department of Sanitation is approached with any proposal to take any step against malaria, he at once says—"Let me have money and I shall drive out malaria." We are not prepared to listen to these sorts of answers any more. Money must be placed at his disposal. It is no use talking of schemes and of preventive measures without money. Money must come, but where shall it come from? From the nation? "No, we are already overtaxed." We are an impoverished nation. We must not be taxed again. The next alternative is the retrenchment of our expenditure or a judicious distribution and readjustment of our revenues. Money must come from the favourite departments of Government—the reserved departments. If the Government wants to make the Reforms Scheme a real success, they must join hands with us, the representatives of the people. They must help us in strengthening the nation-building departments and convincing the people outside that the aim of the Legislative Council and of the Government is one and the same—the moral and material advancement of the people of Bengal.

With these words, I beg to support this resolution, which I do think is not feasible in practice but I support it on principle.

Mr. HUSEYN SHAHEED SUHRAWARDY: It is with feelings almost akin to a pang that I rise to oppose the resolution which has been moved by my hon'ble friend, Babu Surendra Nath Mallik. Everybody realises the urgent necessity for education, sanitation, medical relief, public health, industries, and I almost said agriculture. Everybody knows that enough is not spent on these departments, and we could do

more and do with much more—and there remains no doubt in any conscience that we require all the money we can swallow. But it seems to me that the remedy does not lie in our passing resolutions fixing a percentage, but showing where too much is being spent, and where we can retrench so that more money may be available for the Ministers. I am only too sure that the Ministers will be prepared to raid the reserved departments, and I am not so certain that they have not attempted to do so already. But while we ask for money for the transferred departments and for irrigation and famine relief, which by some freak still remain reserved subjects, while we demand money for what we call "ourselves," I cannot imagine how we can choose to forget that the cost of general administration and administration of justice, jails, police, forests, stamps, land revenue, pensions, stationery, etc., have still to be met and the work in these departments has still to be carried on—and I cannot bring myself round to consider that these departments do not form part of the great "ourselves." Moreover, among the items of expenditure on the side of the reserved departments there are pensions to the tune of 44 lakhs and the assignment to the Government of India to the tune of a crore and a half which naturally raises the percentage and which, I take it, we have to submit to, whether we wish it or not. I need not quote facts and figures, but it may not be out of place to point out here that there has been an increase of expenditure on education, medical relief, public health, industries and agriculture of the sum of Rs. 19 lakhs, 18 lakhs, 10 lakhs, 7½ lakhs and 3½ lakhs, respectively—infinitesimal, no doubt, for our needs but such as speak well for the grabbing tendencies of the Minister evinced so soon after the appointment to their office. On the side of the reserved departments the main increases are Rs. 7½ lakhs on waterways which we welcome, of Rs. 27 lakhs on the police that we deplore, condemn and otherwise suspect and to investigate which a committee is sitting, and on the miscellaneous side of Rs. 64 lakhs which represent the increase of pay to ministerial officers and that mysterious term—Home Charges. The department of the administration of justice also comes in for its share of Rs. 6 lakhs on a general expenditure of Rs. 1,38,40,000. The figures alarm us and with our waning confidence in the principles of justice as administered in Bengal, it is a sum that scarcely seems commensurate with the advantages we desire from it. Nevertheless, it seems to me that the sole way to solve the problem is to suggest retrenchments by means of responsible committees and conferences on the side of the reserved departments and even of some transferred departments and take hold of all the surplus that we can possibly rake in—we may even try our best to apportionate the surplus which is not yet ours, but which we are eagerly looking forward to. This may give even more than 40 per cent. or may give us less. We cannot possibly fix a percentage without our making definite allegations and showing how we can realise the percentage. I feel sure that with such lynx-eyed members as Babu Surendra Nath Mallik amongst us, Government will

not be able to feed departments already overfed and the Ministers themselves on the pain of a vote of censure will be on the watch to protect our interests. Therefore, Sir, much as we sympathise and ardently sympathise with the spirit of the resolution, much as we should like to increase the percentage, if possible from 40 to 80 per cent., and yet find and say that that is not enough, we cannot possibly support the resolution as it stands. I only wish that this resolution had been of a nature of a recommendation, and a strong recommendation to Government so to adjust finances that more is given to transferred departments than has been accorded to them hitherto. Members have acknowledged that it is not feasible—in fact, I am not far wrong if I consider that Babu Surendra Nath Mallik is one of the very few who believes in it whole-heartedly and it is scarcely up to us to pass a resolution which we feel cannot be put into practice.

Babu SURENDRA NATH MALLIK: I rise to a point of order. He has absolutely no right to say that I do not believe in it.

Mr. HUSEYN SHAHEED SUHRAWARDY: I am afraid he has not followed me. I said that he is one of the very few who believes in it. To those members who think like me that we ought to pass only such resolutions as can be put into practice and that we are prepared to back those resolutions with our whole might, if indeed the Reformed Council possesses any might at all, such as might force the Government to accept them, then, Sir, to such of us as are prepared to vindicate the honour and prestige of the Council and to see that its mandates are obeyed, there is no course open but to oppose the resolution regretting intensely all the while that we have to do it, as we are in entire sympathy with the spirit which underlies it.

Rai MAHENDRA CHANDRA MITRA Bahadur: I welcome this resolution. It is a very important one and ought to be dealt with very carefully. When we come to the Council, we formulate our resolution, press them upon the attention of the Council with a hope that they should be carried. Many resolutions have been accepted by Government and also carried in this Council, but in the terms of the *Calcutta Review*, they are so many pious wishes and nothing more than that. What is the reason of this? We ascribe it to one fact only, namely, that the finances of Government are weak, and therefore, these resolutions are of no weight at all. I had been in the old Council and I am also in this Council. Over and over again we are bringing to the notice of the Council and to that of Government that some effective steps should be taken when we put forward our resolutions. The resolutions themselves are many in number and what do they mean? They mean so many grievances on the part of the people and they are not likely to be redressed unless there is sufficient money in the hands of Government. Two courses are left to us; first the money on the receipt side must be increased or we should retrench the expenditure, but in doing so we meet with

several difficulties. In preparing our budget, we experience them most. But may we not at the same time ask Government to find some money as has been suggested by Babu Surendra Nath Mallik? Let us consider for one moment where the difficulty lies in meeting his wishes. Our budgets are framed on the traditional lines, but cannot some improvement be effected by adjusting our finances in a proper way? Can we not provide for 40 per cent. as has been suggested? Is there any difficulty in the way? If we look to the budget of expenditure one cannot disagree with me that the object can be attained by a little careful adjustment of estimates.

The other day I moved in the Council a resolution for the encouragement of vocational education; it was accepted very kindly by the learned Minister in charge of Education, but what effect has been given to it? A mere pious wish on the part of a Minister or on the part of Government will not be sufficient for that purpose. Every one knows that it is highly necessary that vocational education amongst the people should be encouraged but there is great difficulty (as I find from practical experience) in meeting the money that is required. So the resolution has ended in a pious wish and nothing more, but if money can be secured by an appeal to the Minister, the wish would have been materialised. When I put the resolution before the Council, I was told that effect would be given to it. My friend, Babu Amulya Dhone Addy, asked the learned Minister whether effect would be given immediately or not, the Minister was not in a position to answer the question, and simply said as soon as funds were available. Why did he say so? I do not blame him for it. I sympathise with him.

Now, Sir, look to the question of irrigation. You will be surprised to hear from me that only 83,739 square miles are under canal irrigation, but compare it with the figures in other provinces. What is the reason for the great difference?

In Government resolution we notice that improvements are needed in the Agricultural and also in the Sanitation Department. Nothing practical has been done. I must thank the Hon'ble Minister for taking steps in this direction, although those steps are only on paper, and nothing more than that. Communication to the subordinate officers or a lecture on the subject will not satisfy the people or will not satisfy us. Whatever subject I am to touch upon I find that no improvement has yet been effected and what is the chief cause? Want of money.

Every member who has spoken was in favour of more money being set apart for the use of the transferred department. What is the universal complaint? A want of money. I need not dilate on the subject, but I can say emphatically, categorically and affirmatively that Government should take immediate steps in this connection to meet public opinion. Babu Surendra Nath Mallik comes forward with a very modest proposal, and it is for Government and the members of the

Council, both official and non-official, to give their best attention to his resolution and to consider whether his suggestions are acceptable or not. Are we to be told that this very modest amount of money cannot be spared for utilisation on the nation-building departments? Unless you do that you can have no chance of satisfying the public.

Now, let us look to the most important of all questions—Education. Can it be said that everything possible is done for the furtherance of this great object? People complain that the salaries of high officers, who least need it, have been raised, but was it not your duty to increase the pay of the junior ministerial officers proportionately to the increase of the pay of the superior officers? There is a universal complaint that Government cannot find money inasmuch as money has been diverted to increase the pay of the members of the Indian Civil Service. I am speaking frankly in this Council and stating what is really the popular belief. This Government did its best to explain our financial position to the Government of India, but what came out of it? The result has been very discouraging indeed, and, in consequence, you cannot move an inch. But that does not help matters at all. When we go back, what shall we say to our constituency in the district? The universal complaint is that the Reformed Council is doing nothing, and our inability to finance the schemes which are approved of and passed by the Council lends a countenance to this accusation.

It is for these reasons that I have spoken rather warmly before the Council to-day. I whole-heartedly support the resolution which has been moved so eloquently with facts and figures by my friend, Babu Surendra Nath Mallik.

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. Kerr): I am afraid I must begin by describing Mr. Mallik's resolution as gravely unconstitutional. I do not suppose the adjective will frighten him, but I shall go on to show that it is so unconstitutional that it would be impracticable to carry out under the constitution as it stands. In effect this resolution is a proposal for a separate purse and I need not remind the Council that the proposal—the members who have read the discussion in connection with the Reforms Scheme know—for a separate purse was considered very carefully by all the authorities which dealt with the drawing up of the details of the Reforms Scheme and was eventually rejected by Parliament. The separate purse scheme was based on the theory that the Ministers should be given a certain share in the revenues of the province and then told to do as best they could with it; the rest of the money was to be reserved for the reserved departments. That scheme was rejected mainly owing to the opposition displayed towards it by Indian opinion, and Parliament, in its wisdom, has started us off on a joint-purse system under which the money required for the various departments, whether transferred or reserved, is put into the budget according to the decision of both sides of Government sitting together. Under the statutory rules—the

Devolution Rules—under which we are working, the framing of the budget proposals for expenditure in regard to transferred and reserved departments is a matter for agreement between that part of Government which is responsible for the administration of the transferred subjects and that part of Government which is responsible for the administration of the reserved subjects: and, hitherto, in the Bengal Government we have been able to work in accordance with the provisions of those rules. When we were framing the budget last year and when we have been framing the supplementary estimates from time to time we sat together—the Members of the Executive Council and the Ministers—and discussed the relative urgency of various schemes for which demands were put forward by the various departments. We adjusted the demands to the money available and then we came to a decision as to the demands which were to be placed before the Council for provision of funds. Under these circumstances, I was astounded to hear Babu Nibaran Chandra Das Gupta say that the Ministers had no hand in the preparation of the budget. The functions of the Legislative Council in regard to the budget are also governed by the statute. No member of the Legislative Council, no member of the House of Commons is able to initiate any proposal for expenditure. The function of a member of the House of Commons and a member of this Council is to decide whether the demands that are put before them by Government are to be granted or not. Well, as I said, that is the way we have framed our budget hitherto by discussing the demands of the various departments at a joint meeting of Members and Ministers. This is the procedure which the Devolution Rules contemplate. There is, of course, a further rule that if the Governor is satisfied that there is no hope of agreement within a reasonable time between the Members of his Executive Council on the one hand, and the Ministers on the other, as to the allotment of funds between reserved and transferred departments, the Governor may allocate the revenues and balances of the province between reserved and transferred subjects by specifying the fractional proportions of the revenues and balances which shall be assigned to each class of subjects. I do not know whether Mr. Mallik has any proposal of that kind in his mind, but I imagine that a Governor who had to take action under this rule would find himself in a somewhat difficult position. It would not be possible for him at all events to take 40 per cent. or any other percentage *a priori*, but he would have to judge on their merits, the relative needs of the various departments just as the Members and Ministers do at present at a joint meeting presided over by His Excellency the Governor.

My first point then is that this resolution contemplates a procedure in the matter of the framing of our budget which is not permissible under the statutory rules which have been prescribed for us by Parliament.

My next proposition is that this system of working by percentages as between the reserved and transferred departments of Government is not only unconstitutional but also unsound. I think it was Lord Randolph Churchill, a former Chancellor of the Exchequer, who said that he hated decimals, because he could not understand the dots. Well, I hate percentages because it seems to me that they are very misleading and tend to take us away from actual facts. That is particularly the case in regard to the percentages which have been quoted in reference to the allocation of funds between transferred and reserved departments. The Hon'ble Sir Henry Wheeler dealt with that point very fully in his speech during the budget debate. I would only remind the Council that Government as a whole is one, and the finances of the province as a whole are one, and it only confuses issues and raises false issues if we talk of arbitrary proportions and percentages between reserved and transferred subjects. As Sir Henry said—

> The fact remains that the reserved subjects are those upon which very largely the whole structure of Government rests and that they are of as equal importance to those in charge of the transferred subjects as to the Members of the Executive Council and indeed to all members of the Legislative Council also.

He went on to deprecate the tendency to view the question of finance as one of distinct sides. It will be admitted that there are certain items of expenditure which it is essential for any civilised Government to undertake. There is the question of police, the courts, the magistracy, and so on. These, it is inevitable, must have the first claim on the revenues of Government. Whether Government have provided too much for objects of that kind is altogether a different matter, but it must be admitted that in allocating revenues, we must provide for the elementary duties of a civilised Government.

Mr. Mallik calls our existing allocation unjust. I went into that question during the last budget debate, and I showed that we had to take over the administration as it stood on the day when the new Government was formed. We could not at that time begin by cutting down the items of expenditure on the reserved side of Government and starting a whole lot of new schemes on the transferred side We took over the Government as a going concern, and we had to keep it going. That is the basis on which the budget of the current year has been framed and is being administered. I would only notice one other remark of Mr. Mallik that the budget is all eye-wash in regard to the treatment of Public Works expenditure. It is not eye-wash at all. The budget is built up on certain heads which are prescribed by the Comptroller-General. The Public Works Department is administered by a Minister who is responsible for the expenditure—whether that expenditure is incurred on police buildings or on schools or on hospitals or anything else. It is expenditure on the transferred side and must appear on the transferred side. Nobody who understands the principles on which a budget is prepared could raise any reasonable objection to this and it seems to me

that it is rather drawing a red herring across the trail to call our simple, honest budget eye-wash.

Now, what are the arguments to which we have listened to-night from nearly every speaker who has dealt with the subject? I think they may be very briefly boiled down into two propositions. The first is that the transferred departments want more money. With that I heartily agree; no one knows it better than I do: for owing to our present financial stringency, I am constantly compelled to turn down the demands of Ministers for most excellent schemes in the transferred departments. The second proposition, however, is that the money which is required can be found by reducing the grants of the reserved departments. To that proposition, I am afraid, I am unable to give my assent and I shall endeavour to give my reasons to the Council. As to one of the main reasons why we find it difficult to agree to this proposition, Babu Kishori Mohan Chaudhuri has supplied a very good illustration. He demands in the first place 13 crores for sanitation and then goes on to ask for unnumbered crores for agriculture and industries, unemployment of the middle classes, and so on. Looking into the budget you will find that the 13 crores which he wants for sanitation considerably exceeds our annual income. So it is obvious that at any rate we cannot find the money that Kishori Babu wants by raiding the reserved departments. Consequently, the remedy suggested in the resolution is of no use to Kishori Babu and to people who think like him. The Council may ask me what we can do for people who feel honestly that they are not doing their duty by the country owing to the want of funds. I am afraid, I can only quote the authors of the Reforms Scheme and refer such people to the Montagu-Chelmsford Report where this point was discussed. The authors of the report said that they looked forward to an enormous expansion of the activities of Government in all directions when the Reforms Scheme came into force, but they added—

> We are bound to recognise that in time new taxation will be necessary, for no conceivable economies can finance the new developments which are to be anticipated.

That I am afraid is the only answer that can be given to the views which have been expressed by the majority of the speakers this evening. Mr. Mallik is more modest. He has only asked for a little trifle which he thinks will come to about 95 lakhs, but which I think will really come to more—probably 1½ crores; however, that is a matter of detail. Anyhow, I want to get away from these annoying percentages. In hard figures Mr. Mallik wants the reserved side of Government to be cut to the extent of a crore or a crore and a half and that amount to be placed at the disposal of the transferred departments. Now Mr. Mallik has had some experience of retrenchment committees and he also had some opportunities, during his visit to Simla, of studying the details of our financial position, and I should be surprised to learn that he is prepared to justify an imme-

diate retrenchment of one crore of rupees or so in the reserved departments. I think he understands, as well as any other member of this House, that retrenchments in large and important services such as the police, the magistracy, and so forth, cannot be effected by a stroke of the pen. Mr. Suhrawardy has indicated the proper measures for dealing with questions of retrenchment of this kind, and it is a fact, as is known to the Council, that these measures have already been initiated. There is an important committee sitting at the present moment dealing with questions of retrenchment in the Police Department, When that committee are going to produce their report I do not know; but if they can effect any retrenchment in the Police Department, the money thus saved will be available for other departments. But that money is not yet in sight. On the other hand, we have been doing some retrenchment work ourselves. As His Excellency told the Council the other day, we have been driven to the course not merely of considering but of actually bringing retrenchments into force ourselves. He told the Council that we have decided to cut the budget of next year by Rs. 89 lakhs as compared with the budget of the current year. The Standing Committees will have an opportunity of seeing the departmental budgets according to the rules, and it will be open to them to make any suggestion that they can for further retrenchments, and I, for one, would be glad to have suggestions for any feasible measures of retrenchment that the Standing Committees or anybody else may put forward. Out of this sum of Rs. 89 lakhs which we have already decided to retrench next year, it may interest the Council to know that no less than 71 per cent. is made up of retrenchments in the reserved deparments, that is, treating the Public Works Department on the lines indicated in the resolution. The retrenchment of Rs. 40 lakhs which we are making owing to our decision to take up no new buildings next year would be divided between the transferred and reserved departments according to the programme of buildings. Leaving out the programme of buildings altogether, 83 per cent. of the retrenchment is on account of reserved subjects and 17 per cent. on account of transferred subjects. I think the Ministers will agree that we are treating the transferred departments very liberally in the matter of retrenchment next year. I further claim that we treated them as fairly as we possibly could in framing our original budget and in framing our supplementary estimates in the course of the year. That, I think, shows our willingness to accept the principle that the transferred departments do require more money and that it is our business to provide more money for them if we possibly can. I claim that we have taken action to help the transferred departments as much as we possibly can, and that is probably the principle for which Mr. Mallik is contending. But I cannot accept the resolution as it stands, because in the first place, it is unconstitutional and cannot be put into practical effect under the Devolution Rules by which we are bound, and in the second place, it demands the reduction of expenditure

on certain departments, which are technically reserved departments which I should prefer to call essential departments, to a much great extent than we can undertake or than it is reasonable to expect us undertake. For this reason, I am sorry I cannot accept the resolutio

Rai RADHA CHARAN PAL Bahadur: At the outset, I desire t say that I welcome this resolution and welcome the discussion that ha ensued on it. I have just had the great pleasure of listening to the inter esting observations that have fallen from the Hon'ble Mr. Kerr, the Finance Member. As far as I have been able to follow him, I find him to be of the opinion that the proposal of Mr. Mallik is gravely unconstitutional. I do not know whether this resolution in any way militates against any principle that has been laid down in the report of the Joint Committee of Parliament, which must be taken as the basis of our constitution. Then he thinks that we should consider the Government purse as a whole, and not divided in two parts. I do not think that this proposal in any way suggests that we should have two purses, or that the Government really thinks it is really divided into two parts, one a popular Government and the other bureaucratic Government. It is not perhaps good to divide the purse in that way. The purse still remains the same, but there will be the allocation, and an allocation has been made in the budget that so much is for expenditure on the transferred departments and so much for the reserved departments; and I do not think that if we ask for a certain amount of increase or the transfer of a certain sum from the reserved departments in order to replenish the funds of the transferred departments, that in any way suggests the division of the purse into two for the two branches of Government. I take it in this way. Suppose there are two brothers in a joint family they have to meet their expenditure separately, the head of the family allots a certain sum to each brother separately, I do not think it can be contended that there are two purses from which the money comes. As far as I understand the position, we have at present Rs. 3 crores 27 lakhs allotted to the transferred departments; added to this is Rs. 60 lakhs for Public Works which is spent separately by the Public Works Department in connection with items relating to the transferred subjects, that comes to Rs. 4 crores 78 lakhs and if a further 10 per cent. of the total revenue be added to it, it will be about Rs. 1 crore, though I understand from the Hon'ble Mr. Kerr that it may come to Rs. 1 crore 50 lakhs—that comes to Rs. 5 crores 78 lakhs. Taking the revenue at 10 crores 47 lakhs, it comes to a little over half the sum, but I think having regard to the fact that the Government is divided into two, even if we have half the sum allotted, no injustice will be done to the reserved departments because I think it will be admitted that it is the intention that the two departments should be run successfully. The transferred departments, which have been brought into existence for, and which, it is the intention of the Government should succeed in their endeavours in nation-building, should be placed at least

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in the same position as the reserved departments. It seems to me that 40 per cent. which Babu Surendra Nath Mallik has proposed, is not the sum to which we should definitely commit ourselves, although I welcome the proposal in the sense that it has raised this question for the consideration of Government and it will ultimately lead to fair and equitable distribution of the money at the disposal of the common fund. I think we might consider the financial position of the country and of the Government from another point of view, and that is this: that this Rs. 1 crore for sanitation will not be at all sufficient for the work which has been entrusted to the Hon'ble Minister. All that is now required is that a certain sum of money should be placed at the disposal of the transferred departments in order to enable Government to raise loans to finance projects of sanitation, education, irrigation, etc. The Hon'ble Mr. Kerr has adumbrated the idea of extra taxation; if this suggestion is accepted —but I am afraid that the whole country will raise the utmost opposition to this proposal, as it will make the Reforms most unpopular—there is sure to be some surplus. Nothing will make the Reforms more unpopular as the proposal for the imposition of additional taxation at the present moment; that is the very thing which the opponents of the Reforms have been harping on ever since the Reforms Scheme was promulgated. It occurs to me that the Government should seriously consider the proposal that has been made not only in some commercial quarters, but also by the non-official members regarding the feasibility of raising loans—not for the purposes of ordinary administration but for reproductive schemes of development and improvement and discard the idea of additional taxation.

I think the financial stringency may be to some extent overcome by this method and ample funds placed at the disposal of the Ministers. How that can be done is a question which requires the very careful consideration of Government and I am sure that, in this matter, the Hon'ble Ministers will heartily co-operate with the Government and bring forward proposals as early as possible before the Council. Before I sit down, I desire to say that the opposition of the Hon'ble Mr. Kerr to this proposal, as far as I understand it, is due to the fact that he will be unable, as he himself says, to meet expenditure in connection with the police, the magistracy, the courts and other necessary expenditure, in order to maintain the administration of Bengal. All that I can say with reference to this is that the Government has already accepted certain resolutions for the purpose of scrutinising the expenditure and to reduce it and to effect economy as far as practicable. I hope that the report of the committee will show that a substantial reduction has been made in the police budget, and that the committees which have been appointed, and which it is also proposed to appoint with a view to scrutinise expenditure in other directions, will also succeed in making substantial reductions, under other heads, and thereby be in a position to place certain sums of money

at the disposal of the Ministers, who will then be able to embark on various schemes which have been suggested from time to time in this Council during the last 10 months. I do not know whether we can get any information on this point at the present time, but there are only four months left for the budget to come up before this Council and the Council ought to be in a position to know before that time what reduction the Committees have been able to effect under the various items which have been entrusted to them.

With these words, I most heartily support the resolution of Babu Surendra Nath Mallik.

Babu SURENDRA NATH MALLIK: As I am anxious that this matter should be finished I do not propose to reply at length. I will only reply to the Hon'ble Mr. Kerr when he says that this measure is gravely unconstitutional. I do not accept this as it is not supported by any authority; except his own *ipse dixit*. I have read the section many times over, there is nothing in it which reveals that this motion is in any way repugnant to the section. The section says that the Members and Ministers at a meeting will come to an agreement regarding the allocation of funds between the reserved and the transferred departments, and if they fail to agree, the Governor will do it. How can this suggestion of giving 40 per cent. to the transferred departments contravene the section? If you cannot find out a better argument against me, do not cloud the issue by saying that this is unconstitutional. This is merely raising a cloud, nothing more. Supposing that the Ministers and Members sit together and there is this allocaton before them to guide their deliberations, is there anything unconstitutional in that? Supposing they cannot agree, it goes to the Governor and he has this suggestion before him, and if he wants to give effect to it, is there anything unconstitutional in that? Why, then, raise an issue which ought not to be raised? The fact is, you do not like to give money. I did not expect to hear from a gentleman of the Indian Civil Service for whom I have the highest respect, who, apart from his ability, has, I hear always maintained a sympathetic attitude, that the police and the magistracy have the first claim on the revenues of the State, and that this is so in every civilised Government. I do not for a moment accept this, that the question of the prevention of a high death-roll is not one of the first duties of the State—only the police? Only repression? Is this the first duty? We require more money, on the admission of the grand old man of Bengal, to help us in our death struggle; we are a dying race, and yet you want more money to put into the pockets of the police? Is that the proper view to take? Are the police and the magistracy, the first thought of the Government? You must allow us to live and then repress us by the police or increase the number of magistrates who will send people to jail for one year for offences under section 504. Is that the attitude by which you expect that the people will co-operate with you, and by which you expect them to love and respect the Government

in all parts of the province? Come down from your superior attitude, help us in our difficulties, be our elder brothers; by this means, not by a bureaucratic attitude, will you gain the love and esteem of the people. I do not want to say anything more; I leave it to the good sense of the Council.

The Hon'ble Mr. KERR: May I say one word in explanation of my remarks about the police and the magistracy? I said nothing at all about repression. What I meant was that the elementary duty of a civilised Government is to maintain law and order, and it is only when they have secured that object, that they can afford to consider schemes possibly of a very beneficial nature, but not possessing the same element of essentiality.

The resolution was then put to the Council and declared carried.

Nautical Institution for Bengal.

Babu ANNADA CHARAN DUTTA: I beg to move this resolution with a slight verbal change which, I take it, I have got your permission to insert, and which runs thus:—

"This Council recommends to the Government that early steps be taken by Government to start a nautical institution for Bengal at Chittagong, or some other suitable place in Bengal for the training of seamen and officers."

The DEPUTY-PRESIDENT: I ask the House whether there is any objection to allowing this alteration in the resolution.

As no objection was raised, the Deputy-President called on Babu Annada Charan Dutta to continue.

Babu ANNADA CHARAN DUTTA: In moving this resolution, I do so with a sort of sad feeling that, after practically 200 years of rule under the British Government, one has got to move such a resolution only for a very modest beginning in order to start the people of Bengal in the line of a maritime career. Time was when Bengal with its natural facilities always was in the foretront of maritime activities. Bengal with its sea coast, its majestic rivers and safe harbours has, from time immemorial, always induced its people to be sea-faring. Imagination need not be stirred by the brilliant deeds of Prince Bijoy who founded a kingdom in Ceylon—nor to the colonisation of Shubarna Dwip (Java-Sumatra) by the Bengalis—nor even to the Bengal merchant marine furrowing the deep and establishing trade relations with Rome and other places in the West and China and Japan in the East, nor to the shipping activities during the Morya period. As late as 1664-65, Saistakhan, the then Mussulman Governor of Dacca, did and could man his Nowara of more than 200 vessels with Bengali sailors and soldiers, who fought and

won the naval battle of Kattoli at the mouth of the Karnafulli off Chitt gong, as a result of which the port of Chittagong, known then as Grand Port, passed from the Arracanese and his ally, the Portuguese, to th Mussalmans. Captain Heath with a fleet of 10 or 11 ships could n seize Chittagong in 1689, as the place was strongly held. About century after in 1760 the district was ceded to the English by Mir Kasin Our present masters were and are the foremost in the art of navigatio and the very secret of their being the holders of the first and mo powerful Empire on the face of the globe on which the sun never se is to be found in the same factor.

Adjournment.

There being no quorum, the Council was adjourned till Monday, t 28th November, 1921, at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council assembled at 3 P.M. on Monday, the 28th November, 1921, in the Council Chamber, in the Town Hall, Calcutta.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 91 nominated and elected members.

Starred Questions

(to which oral answers were given).

Ministerial officers.

***XXXIV. Babu FANINDRALAL DE:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to state what action, if any, has been taken in connection with the resolution of the last session on the revision of the pay of the ministerial officers?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. Kerr): The member is referred to the reply to a similar question asked by Babu Indu Bhushan Dutta at this session.

Deputy Director of Agriculture.

***XXXV. Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing the tour programmes of the Deputy Director of Agriculture for the Presidency Division for the months of June, July, August and September, and also the amount drawn by him as tour allowances in each of these months?

(*b*) Will the Hon'ble the Minister be pleased to state the total amount spent on the Agricultural Department from the year when the Department was started up to the year 1920, specifying the expenses made in the year when the Department was first started and in the years 1916 to 1920?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Two statements are laid on the table.

(*b*) The Agricultural Department in Bengal was established in year 1884. Since then the constitution of Bengal was changed in 1 and 1912, and Bengal as now constituted is different from what it before. In the circumstances the figures for the years anterior to 1 will be misleading; nor are they readily available. The figures fr 1912 onwards are as follows:—

	Rs.
1912-13	3,49,731
1913-14	4,52,054
1914-15	5,09,605
1915-16	5,90,583
1916-17	5,74,480
1917-18	6,17,376
1918-19	7,62,099
1919-20	8,36,159

Tour Programme of the Deputy Director of Agriculture, Western Cir referred to in the reply to clause (a) of starred quest No. XXXV.

JUNE, 1921

6th	...	Leave Sealdah.	11 11 A.M.	Arrive Baraset	11 51 A.M.
		,, Baraset	12-25 P.M.	,, Sealdah	1-9 P.M.
7th	...	,, Howrah	4 20 P.M.	,, Suri	9-54 P.M.
8th	...	,, Suri	9-24 A.M.	,, Howrah	4 15 P.M.
12th	...	,, Howrah	4-20 P.M.	,, Suri	9-54 P.M.
13th	...	,, Suri	9-24 A.M.	,, Howrah	4-15 P.M.
14th	...	Leave Howrah.		Arrive Makalpur.	
		,, Makalpur.		,, Howrah.	
15th	...	,, Calcutta.		,, Chinsura.	
		,, Chinsura.		,, Calcutta.	
16th	...	,, Calcutta		,, Baraset.	
		,, Baraset.		,, Calcutta	
17th	...	,, Howrah	6-24 A.M.	,, Burdwan	9-28 A.M.
		,, Burdwan	3-1 P.M.	,, Howrah	4-39 P.M.
18th	...	Calcutta to Tollyganj, Russa, Bostamghata and back.			
19th	...	Calcutta to Kasba, Mollahati and back.			
20th	...	Calcutta to Parui, Goragachi and back.			
21st	...	Calcutta to Barasa, Sodepur and back.			
22nd	...	Calcutta to Sinthi, Bon Hooghly and back.			
27th	...	Leave Sealdah	1-42 P.M.	Arrive Ranaghat	3-35 P.M.
		,, Ranaghat	5-41 P.M.	,, Sealdah	7-23 P.M.
28th	...	Calcutta to Panihati and back			
29th	...	Calcutta to Natagor and back.			
30th	...	Calcutta to Baranagar and back.			

JULY, 1921.

2nd	...	Leave Calcutta.		Arrive Manoharpur, Jadabpur and back.		
3rd	...	,, Howrah	6-40 A.M.	,, Amarpur.		
		,, Amarpur.		,, Howrah	7-46 P.M.	
4th	...	,, Sealdah	8-36 P.M.	,, Berhampore	3-27 A.M.	
5th	...	,, Berhampore	8-57 A.M.	,, Sealdah	3-31 P.M.	
9th	...	,, Howrah	5-40 A.M.	,, Chinsura	7-36 A.M.	
		,, Chinsura	10-7 A.M.	,, Howrah	11-44 A.M.	
		,, Howrah	7-6 P.M.	,, Suri	5-35 A.M. (10th).	
10th	...	,, Suri	9-11 P.M.	,, Howrah	7-0 A.M (11th).	
12th	...	Calcutta to Keorapukur *via* Old Ballyganj, Sodepur and back.				
13th	...	Leave Howrah	12-14 P.M	Arrive Chinsura	13-26 P.M.	
14th	...	Calcutta to Naldaria and back.				
15th	...	Calcutta to Barrackpur and back.				
16th	...	Calcutta to Budge-Budge and back.				
17th	..	Calcutta to Jagatdal, Aracli and back				
18th	...	Calcutta to Baranagar, Dakshineswar, Belgharia and back				
20th	...	Leave Howrah	12-14 P.M.	Arrive Chinsura	13-26	
		,, Chinsura	16-41	,, Howrah	18-36	
21st	...	,, Howrah	6-0 A.M.	,, Bolpur	10-42 A.M.	
		,, Bolpur	16-20	,, Howrah	21-25	
22nd	...	,, Howrah	9-36	,, Bankura	16-33	
23rd	...	,, Bankura	23-25	,, Howrah	7-0 A.M	
		,, Howrah	9-36	,, Burdwan	13-43	
		,, Burdwan	14-37	,, Howrah	16-15	
23rd, 24th	...	Leave Sealdah	20-36	Arrive Berhampore	3-22 A.M.	
		,, Berhampore	8-57 A.M	,, Sealdah	15-7	
24th, 25th	...	,, Sealdah	21-10	,, Khulna	3-52 A.M	
		,, Khulna	16-51	,, Sealdah	22-57	
26th	...	,, Sealdah	14-15	,, Krishnagar	16-55	
		,, Krishnagar	20-19	,, Sealdah	0-21	
27th	...	,, Howrah	10-0 A.M.	,, Midnapur	13-7	
		,, Midnapur	15-9	,, Howrah	19-55	
29th, 30th	...	,, Sealdah	10-12 P.M	,, Dacca	14-0	
31st	...	Halt at Dacca.				

AUGUST, 1921

1st to 4th	...	Halt at Dacca.		Halt commenced on the 31st July, 1921		
5th, 6th	...	Leave Dacca	11-59 A.M.	Arrive Sealdah	5-55 A.M.	
8th	...	,, Howrah	7-31	,, Chinsura	9-5	
		,, Chinsura	10-7	,, Howrah	11-20	
10th	...	,, Howrah	7-31	,, Chinsura	9-5	
		,, Chinsura	10-7	,, Howrah	11-20	
12th	...	,, Sealdah	7-6	,, Ranaghat	8-25	

AUGUST, 1921.

12th	...	Leave Ranaghat	9-51	,,	Sealdah	11-4
		,, Howrah	13-6	,,	Chinsura	14 40
		,, Chinsura	16-41	,,	Howrah	19-0
17th, 18th	...	,, Howrah	21 30	,,	Bankura	3-45 A.M.
18th, 19th	...	,, Bankura	23-49	,,	Howrah	7-30 A.M
22nd	...	,, Sealdah	14-49	,,	Ranaghat	16-31
		,, Ranaghat	18-17	,,	Sealdah	19 33
29th	...	,, Howrah	7-55	,,	Chinsura	9 29
		,, Chinsura	14-4	,,	Howrah	15-45
29th, 30th	...	,, Howrah	21-30	,,	Chandrakona Road	1 47
		,, Chandrakona Road	9 A.M.	,,	Howrah	15-30

SEPTEMBER, 1921.

1st	..	Sealdah 1-0 (Nakasipara) Bethuadahari 18-31	...	Bethuadahari	...	8-35 (Nakasipara)
			...	Berhampore	...	20-9
2nd	...	Berhampore 1-32	...	Sealdah	...	7-28
5th	...	Sealdah 7-6	...	Kushtia	...	10-31
		Kushtia 15-51	...	Sealdah	...	19 9
6th	...	Howrah 15-56	...	Suri	...	21-22
7th	...	Suri 9-26	...	Howrah	...	16-15
9th	...	Sealdah 13-18	...	Kushtia	..	19-8
10th	...	Halt at Kushtia.				
11th	...	Kushtia 0-28	...	Sealdah	..	5 31
14th	...	Howrah 6-55	...	Chinsura	...	7 25
		Chinsura 10-7	...	Howrah	...	11-20
15th, 16th	...	Sealdah 21-10	...	Khulna	...	3 52
		Khulna 16-51	...	Sealdah	...	22-57
17th 18th	...	Sealdah 20-36	...	Berhampore	...	3-27
		Berhampore 8-57	...	Sealdah	...	15-31
19th	...	Sealdah 14-24	...	Barrackpur	...	14-48
		Barrackpur 17-10	...	Sealdah	...	17-52
22nd	...	Sealdah 5-0	..	Jessore	...	9 18
		Jessore 13-11	...	Sealdah	...	17-40
23rd	...	Howrah 6-24	...	Burdwan	...	10-6
		Burdwan 15-1	...	Howrah	...	16-39
24th	...	Howrah 5-40	...	Chinsura	...	7-36
		Chinsura 9-45	...	Howrah	...	10 58
25th	...	Howrah 5-40	...	Durgapur	...	12-32
		Durgapur 15-12	...	Howrah	...	19-45
29th	...	Howrah 5-40	...	Chinsura	...	7-36
		Chinsura 9-45	...	Howrah	...	10-58
30th	...	Howrah 6-24	...	Burdwan	...	10-6
		Burdwan 15-1	...	Howrah	...	16-39

Statement showing the travelling allowance drawn by the Deputy Director of Agriculture, Western Circle, for the months of June, July, August and September, 1921, referred to in the reply to clause (a) of starred question No. XXXV.

Month.				Amount drawn.	
				Rs	A.
June	1921	...	...	286	12
July	,,	...	...	625	0
August	,,	...	...	312	5
September	,,	...	...	482	0

Unstarred Questions

(answers to which were laid on the table).

Mr. Das Gupta, Deputy Director of Agriculture.

95. Maulvi YAKUINUDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state how many Deputy Directors of Agriculture there are in the Department of Agriculture in Bengal, and what are their respective duties?

(*b*) What are the qualifications of Mr. Das Gupta, Deputy Director of Agriculture? Did he receive any special training?

(*c*) What is his pay and what is the monthly average of his travelling allowance?

(*d*) Is it a fact that he is an honorary manager of some Calcutta Theatre?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Three. They are in charge of experimental work on Government Farms in their respective circles and are also responsible for demonstration work connected with the introduction of improved seeds, manures and implements and better methods of cultivation. With this object they are responsible for the supervision of the demonstration staff of the department in their circles and are also expected to organise and encourage such bodies as Agricultural associations.

(*b*) Rai Rajeswar Das Gupta Bahadur completed the higher agricultural course at the Civil Engineering College, Sibpur, though he did not pass the final examination. He has had more than 17 years' experience in the department.

(*c*) His pay is Rs. 550 per mensem. The monthly average of his travelling allowance is reported to be Rs. 324-8-0 for the last six months, during which time he has been in charge of the Western circle; before that period he was on leave.

(*d*) Government are informed that this is not a fact.

Dr. Holt in the Dacca University.

96. Maulvi YAKUINUDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state what is the pay of Dr. Holt, and what are his duties in the Dacca University?

(*b*) Was no Indian available on a lesser pay to give physical education?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) Dr. Holt is no longer in the service of the University and draws no pay from the University.

(*b*) Government have no information whether at the time when Dr. Holt was appointed, any Indian candidates offered themselves for appointment on a less salary.

Rates of allowances to apprentices in Kanchrapara workshops.

97. Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state whether there is any difference in the rates of allowance granted to European or Anglo-Indian and Indian apprentices in the Kanchrapara Workshop?

(*b*) If so, will the Hon'ble the Minister be pleased to state what such rates are for each year during the period of their training?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur):

(*a*) Yes.

(*b*) The present rates of pay are as follows:—

	For European or Anglo-Indian Apprentices	For Indian Apprentices.		
		1st Class.	2nd Class.	3rd Class.
	Rs.	Rs.	Rs.	Rs.
1st year	50	22	10	8
2nd "	60	26	14	11
3rd "	70	30	18	14
4th "	80	34	22	17
5th "	100	38	26	20
6th "	120	...	...	...

Khulna famine.

98. Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether he is aware of the fact that Assasuni and its neighbourhood are the worst affected parts of the famine-stricken area in the Khulna district with 18 relief centres rendering help to 20,000 persons regularly and that the expenses are met from public subscriptions?

(*b*) Will the Hon'ble the Member be pleased to state whether he is aware of a complaint that has been made that relief centres opened by the District Board, Khulna, are managed in a way not helpful to the distressed people?

(*c*) Are the Government considering the desirability of making an inquiry into the matter and laying the result of the inquiry on the table?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Assasuni thana contains some of the worst affected areas in the district The Collector was informed on the 14th instant that 22,000 persons are being fed weekly by Sir P. C. Roy's organisation, which derives its fund from subscriptions.

(*b*) Government have seen statements in the Press that the relief given by the District Board is not adequate, but do not consider that those statements are well-founded. The Collector reports that the relief given by the Board has been adequate and well administered.

(*c*) Government do not consider that any inquiry is necessary.

Calcutta Police Court.

99. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether a representation was submitted by certain pleaders of the Calcutta Police Court about the alleged illegal exactions of the staff of the Calcutta Police Court;

(*ii*) whether the pleaders offered to adduce evidence before Mr. Swinhoe in support of the charges if indemnity was offered to the witnesses; and

(*iii*) whether in consequence of no indemnity being offered, the inquiry became infructuous?

(*b*) Are the Government considering the desirability of instituting an inquiry as to the alleged abuses by offering an indemnity to witnesses?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) (*i*) In June last a representation signed by one D. N. Maitra was received. The representation was found on inquiry to be pseudonymous.

(*ii*) The Chief Presidency Magistrate made inquiries from a number of pleaders, senior and junior, of both Courts. No one offered to adduce any evidence before him, and the question of giving indemnity to witnesses did not arise, nor was it suggested by any one.

(*iii*) Does not arise.

(*b*) No.

Presidency Magistrates.

100. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to say whether he is aware that there is a dearth of work at the Calcutta Police Court, the increase, if any, being in petty cases only?

(*b*) If so, are the Government considering the advisability of reducing the number of stipendiary magistrates in Calcutta?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) and (*b*) The answer is in the negative.

Extension of Reforms to Darjeeling.

101. Babu SURENDRA NATH MALLIK: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether the attention of the Government has been drawn to the reply given by Mr. Craik to the question by the Hon'ble Raja of Dighapatia in the Council of State on the 15th September last, about the extension of the Reforms to the district of Darjeeling?

(*b*) Will the Hon'ble the Member be pleased to state whether the Government have moved the Government of India to give effect to the resolution of this Council, regarding the extension of the Reforms to the district of Darjeeling?

(*c*) Will the Hon'ble the Member be pleased to state whether the Government have taken any steps to give effect to the resolution of this Council for the inclusion of the district of Darjeeling within the Reforms Scheme?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble the Member be pleased to state the reasons?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) Yes.

(*b*) and (*c*) No.

(*d*) The printed proceedings of the Council meeting at which this resolution was passed have only recently been received. Government will take into consideration what further action is necessary or desirable, and their decision will be made known in the usual way.

Police arrangements in Nimtola Ghat Street and Beadon Street.

102. Babu SURENDRA NATH MALLIK: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that some constables are daily posted in Nimtola Ghat Street, and Beadon Street, Calcutta, between 10 A.M. and 12 noon, so that no carter may ply his cart, when the Deputy Commissioner of Police, North District, Calcutta, proceeds from his quarters along those roads to hear reports at Jorabagan and return therefrom?

(*b*) Is the Hon'ble the Member aware that inconvenience is being caused to the carters by the practical closing of those thoroughfares at that time?

(*c*) Will the Hon'ble the Member be pleased to state whether it is a fact that some constables have, of late, been defaulted by the Deputy Commissioner of Police, Northern Division, Calcutta, for their inability to keep those streets clear of carts at the time when he passed along those roads?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*) Owing to abnormal vehicular traffic, special police arrangements for the control of such traffic are made in Nimtola Ghat Street and Beadon Street between the hours of 10 A.M. and 1 P.M., but the plying of carts is not prohibited

(*b*) No such complaints have been made.

(*c*) No, but a head constable has been punished for systematically allowing hackney carriages to stand for hire elsewhere than at a hackney carriage stand.

Provincial Judicial Service.

103. Babu INDU BHUSHAN DUTTA: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether it is a fact that the new system of re-organisation of the Provincial Judicial Service requires the appointment of probationers?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that none of the officiating munsifs has yet been made a probationer, and that, as a consequence, some of them have to be kept out of employment for considerable periods of time?

(*c*) Is the Hon'ble the Member aware that this procedure acts prejudicially against the officiating munsifs, inasmuch as they lose all the privileges of probationers?

(*d*) Are the Government considering the desirability of appointing all officiating munsifs as probationers?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) to (*d*) No new rules have yet been framed and the whole matter is still under consideration of Government.

Sunderbans.

104. Rai LALIT MOHAN SINGH ROY Bahadur: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) the number of acres of lands in the Sunderbans that could be brought under cultivation, and the probable expenses for doing so, and the amount of rent that could be collected when such lands are brought under cultivation; and

(*ii*) the forest area that has not yet been brought under Government supervision, and the probable expenses that would be necessary to develop the area and the probable yield that would accrue after the development?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) It is not possible to give accurate figures. Of the three districts, 24-Parganas, Khulna and Bakarganj, survey and settlement operations have been completed in Bakarganj only. In that district the area which could be brought under cultivation is believed to be 35,840 acres; the cost of doing this is estimated at Rs. 3,58,000 and the amount of rent that might be ultimately collected at Rs. 81,200. Only conjectural figures can be given for the other two districts, as it is not known how much of the uncultivated area is cultivable, and the question is complicated by the necessity of maintaining forests and spill areas. The Collector, 24-Parganas, thinks that 15,000 acres might be found to be cultivable; that it would cost about Rs. 2½ lakhs to bring this area under cultivation, and the gross rent might be Rs. 81,000; but he emphasises the fact that these are merely conjectural figures. The area of the Sunderbans reserved forest in Khulna district is 2,297 square miles, including rivers and khals. It is not possible to say how much of this is cultivable nor what rent would be realisable.

(*ii*) It is not clear to what forest area the question refers. All Government forests are under supervision. There are also large private forests, the area of which is not known. The cost of development would depend on the area and the methods followed, and neither the cost nor the probable yield can be stated.

Police guard in tramway service.

105. Mr. KRISHNA CHANDRA RAY CHAUDHURI: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) the number of constables and sergeants employed to assist in the resumption of the tramway service on the 3rd November, 1921;

(*ii*) the hours of their duty on that day in connection with the tramway service;

(*iii*) whether the Tramways Company have agreed to pay for the service of the *parawallahs* who travelled on the cars for the protection of tramway properties; and

(*iv*) if so, the terms of the agreement?

The Hon'ble Sir HENRY WHEELER: (*i*) and (*ii*) One inspector, 2 sub-inspectors, 7 head constables and 100 constables from 8 A.M. to 1 P.M. and the same number from 1 P.M. to 6 P.M. Two sergeants and 3 sowars every 4 hours from 7 A.M. to 6-30 P.M. Twenty sergeants every 6 hours from 8 A.M. to 6-30 P.M. Nine head constables and 80 constables every 6 hours from 6-30 A.M. to 6-30 P.M. Three head constables and 9 constables during the night.

(*iii*) No. The police were employed in the interest of, and for the protection of, the public.

(*iv*) Does not arise.

Mr. Turner of Dacca University.

106. Maulvi RAFI UDDIN AHMED: (*a*) What is the pay of Mr. Turner, the Librarian of the Dacca University?

(*b*) Was no Indian available for the post of the Librarian on a less salary?

The Hon'ble Mr. P. C. MITTER: (*a*) Mr. Turner's pay is Rs. 1,750 for the duties of the two posts of University Librarian and Provost of Dacca Hall.

(*b*) Reference is invited to the reply to question No. 86 asked by Babu Surendra Nath Mallik at the Council meeting of 29th August, 1921. As the appointment was not advertised no question of the relative claims of candidates arises.

Secretariat Press.

107. Babu HEM CHANDRA BHATTACHARJI: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing—

(*i*) the present grades of pay;

(*ii*) the grades existing before the war;

(*iii*) the war allowances;

(*iv*) the percentage of increment; and

(*v*) the daily working hours in every case of the following employees of the Bengal Secretariat Press, namely, (1) Superintendent; (2) Deputy Superintendents; (3) Overseers; (4) Section-holders; (5) Assistant section-holders; (6) Checkers; (7) Readers (senior and junior); (8) Revisers; (9) Copy-holders; (10) Jamadars (press and machine); (11) Press-order clerks; (12) Press correctors; (13) Computors (senior and junior); (14) Heading type keepers; (15) Type suppliers; (16) Rulemen; (17) Leadmen; (18) Standing forme keeper; (19) Typecasting type examiner; (20) Typecasting headman; (21) Binding jamadar; (22) Impositors; (23) Forme carriers; (24) Section coolies and other coolies; and (25) Standing matter keeper and others?

(*b*) Will the Hon'ble the Member be pleased to state the number of salaried men, temporary men and piece-workers employed in the Bengal Secretariat Press?

(*c*) Will the Hon'ble the Member be pleased to state when a probationer is made permanent in the case of a salaried post and what are the conditions in case of a piece-worker?

(*d*) Will the Hon'ble the Member be pleased to state whether it is a fact that if a man in the Press takes medical or other leave which is to his credit he is considered irregular and is liable to dismissal in case he continues to do so?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble the Member be pleased to state whether the same rule applies to all grades, high or low, of all other Departments?

(*f*) Will the Hon'ble the Member be pleased to state whether it is a fact that all the employees of the Bengal Secretariat Press were given an increment more than a year ago except the section coolies and other coolies?

(*g*) Is it a fact that these people are at present paid at a decreased rate?

(*h*) If so, will the Hon'ble the Member be pleased to state the cause of this decrease in their pay?

(*i*) Will the Hon'ble the Member be pleased to lay on the table a comparative statement showing the total number of men, Overseers and Superintendents, employed in the Bengal Secretariat Press at present, as compared with the year 1875 when the piece system was first introduced there?

(*j*) Are the Government considering the desirability of appointing a permanent works committee similar to that of the Government of

India Press to investigate the alleged grievances of the employees of the Bengal Secretariat Press?

(*k*) Will the Hon'ble the Member be pleased to state whether it is a fact that when Mr. Norton joined the Bengal Secretariat Press after the strike was over all the employees applied to him to appoint a permanent works committee and he promised to grant the request?

(*l*) If so, what action, if any, has been taken on the application?

The Hon'ble Mr. KERR: (*a*) (*i*) and (*ii*) A statement is laid on the library table.

(*iii*) Menials Rs. 4 per mensem. Others—nil.

(*iv*) Men drawing Rs. 70 and below—10 per cent.

Men drawing from Rs. 71 to Rs. 300—5 per cent.

(*v*) Ordinary office hours are from 10 A.M. to 5 P.M. the working hours of the Press are from 9 A.M. to 6 P.M., except on Saturdays when the office and Press may close at 2 P.M.

(*b*) The numbers are as follows:—Salaried men 315; Temporary 129; Piece-workers 446.

(*c*) In the case of salaried posts, a probationer is made permanent provided he is certified medically fit, on his being found to be regular in attendance, of approved qualifications and general good conduct.

Piece-workers are made permanent after giving proof of competence in their work, and of good conduct and regular attendance. Length of service in the temporary piece establishment is also considered.

(*d*) No.

(*e*) The question does not arise.

(*f*) Yes; the coolies are still drawing war allowances.

(*g*) and (*h*) As the result of recent orders increasing the number of working hours per day, their overtime earnings have decreased. Orders revising their pay are under issue.

(*i*) The figures are as follows:—

1921—Men 888, Overseers and Superintendents 5

1875—Men 671, Overseers and Superintendents 5. (The men doing Overseer's work were then designated "section-holders in charge.")

(*j*), (*k*) and (*l*) A request for a permanent works committee was recently made to the Superintendent, but has not been pressed and the matter is at present in abeyance. Employees have been assured that their grievances will receive full consideration by the Superintendent.

Calcutta University.

108. Babu HEM CHANDRA NASKER: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Education been drawn to an interpellation in the House of Commons made by Colonel Yate regarding the letter written by the Calcutta University to Mr. Sharp?

(*b*) Will the Hon'ble the Minister be pleased to say who drafted the letter and was the draft placed before the Syndicate or the Senate or both and sanctioned by them?

(*c*) What steps, if any, are the Government taking against the person or persons responsible for the draft?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*) In reply to a reference made on these points the University authorities have informed Government that "the letter was placed before the Syndicate and subsequently circulated to the members of the Senate." Government have no further information.

(*c*) Government are taking no action in the matter.

Removal of dead bodies from jail hospitals.

109. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Jails) aware that the dead bodies of both Hindu and Muhammadan prisoners who die in the jail hospitals are removed by night-soil ejection trucks?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of putting an end to this practice without delay?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Sir Abd-ur-Rahim): (*a*) It has been ascertained that in six out of the twenty-nine jails, it was the practice to use the trolley, which at other times was used for removing night-soil tubs, for passing dead bodies through the wall.

(*b*) An order has already been issued by the Inspector General of Prisons, stopping this practice and directing that bodies shall be taken out through the main gate of the jail. The use of trolleys for this purpose will be forbidden.

Vice-Principal, Dacca Law College.

110. Maulvi YAKUINUDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state why the Vice-Principal of the Dacca Law College has been made a Provost?

(*b*) Has he any special qualification for the Provostship?

The Hon'ble Mr. P. C. MITTER: (*a*) He was appointed by His Excellency the Chancellor under statutory powers, on the recommendation of the Vice-Chancellor. He was formerly Vice-Principal of the Dacca Law College, was appointed Professor of Law in the University and subsequently Provost of Jagannath Hall.

(*b*) His previous experience and his personal qualifications may be held to constitute special qualifications for the post.

Health of school children.

111. Babu HEM CHANDRA BHATTACHARJI: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware of the opinion expressed by the Calcutta University Commissioners in regard to the health of students in their Report, Volume IV, Part II, page 450?

(*b*) Are the Government contemplating instituting an inquiry into the whole question of the health of school children?

(*c*) Are the Government considering the desirability of having a compulsory, graduated curriculum comprising elementary knowledge of Anatomy, Biology, Physiology and Sanitary Science in all primary, middle and high schools in Bengal?

(*d*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing the names of the schools affiliated to the Calcutta University in Hygiene?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*) A Committee was appointed by the Government of Bengal in 1913 to inquire into questions connected with school and college hygiene. The Committee's report was carefully considered and it is not thought necessary to make a further inquiry as now suggested. The question is not so much one for inquiry as of provision of adequate funds which can only be provided by the Legislative Council.

(*c*) Some hgyiene is now taught in upper primary and middle stages of all schools in the Presidency and suitable text-books are recommended. It is also an optional subject in the Matriculation course. It is not possible to lay down a suitable curriculum limited to the primary and middle school stages, and as the curriculum for the Matriculation examination is in the hands of a Statutory Body (the University of Calcutta) it is difficult for Government alone to take adequate steps in the matter.

(*d*) Government have not yet received particulars of the schools affiliated in the subject—it is understood that they are very few.

Public Works Department Roads.

112. Babu TANKANATH CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state the amount spent by Government (Public Works Department) for the maintenance of roads in each district for the years 1911-20?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: A statement is laid on the table.

***Statement** showing the amount spent by Government (Public Works Department) for the maintenance of roads in each district for the years 1911-12 to 1920-21, referred to in the reply to unstarred question No. 112.*

	1911-12.	1912-13	1913-14.	1914-15	1915-16.	1916-17.	1917-18.	1918-19.	1919-20.	1920-21.
	Rs.	Rs.	Rs.	Rs.	Rs	Rs.	Rs.	Rs.	Rs.	Rs
Dacca ...	24,765	17 301	17,772	32,278	28,984	33,120	32,421	29,532	32,637	33,906
Chittagong ...	7,296	18,071	9,791	19,308	18,277	20,463	18,767	23,915	31,837	33,926
Tippera ...	6,661	7 814	9,459	10,626	11,850	11,185	8,500	9,825	8,460	11,620
Noakhali ...	987	1,333	1,485	1,790	1,283	1,289	2 137	2,564	2,707	2,941
Chittagong Hill Tracts	13,021	13,396	16,100	32,995	22,997	31,935	25,811	24,073	31,972	31,661
24-Parganas ...	2,63,096	2 89,104	3 23,425	3,43,587	2,74,296	2,99,996	3,35,775	3,50,196	4,28,093	4,37,371
Howrah ...	24,025	37,435	32,451	36,966	39,068	36,799	42 [illegible]	42,736	45,660	62,472
Hooghly ...	20,439	23,867	22,956	32,727	22,331	22,331	24,245	29,665	40,846	35,287
Burdwan ...	34,273	31,918	53,891	57,545	54,054	55,091	65,949	82,122	97,976	90,321
Bankura ...	12,174	10,484	13,092	22,975	17 972	17 728	21 477	32,669	29,465	29,352
Midnapore ...	31,448	34,274	46,077	49,423	50,848	39,468	49,735	52,372	52,798	40,698
Jalpaiguri ...	44,728	45,886	41,422	45,197	47,319	93,018	1,75,674	2,10,056	2,01,481	2,41,253
Rajshahi ...	1,871	2,070	2,272	2,496	1,837	4,660	3,118	4,313	6,840	11,075

	1911-12.	1912-13.	1913-14.	1914-15.	1915-16.	1916-17.	1917-18.	1918-19.	1919-20.	1920-21.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Bogra ...	170	200	230	250	184	405	310	430	686	1,100
Darjeeling ...	2,65,256	2,74,960	2,74,684	2,23,047	2,47,730	3,69,682	3,72,777	4,10,820	5,67,569	5,22,971
Faridpur* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Bakarganj* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Birbhum ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dinajpur* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Jessore* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Khulna* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Malda* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Murshidabad ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Mymensingh* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Nadia* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pabna* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rangpur* ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

*No expenditure.

Babu TANKANATH CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state if those districts for which no expenditure has been made for roads by the Public Works Department can hope for better treatment in future?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: It is not a part of the policy of the Government to build roads within the jurisdiction of the district boards.

Police Courts.

113. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing, year by year—

(*i*) the total number of motor-car cases disposed of in the Calcutta police courts between 1916 and 1920 and the total amount of the fines imposed in those cases, during the said period; and

(*ii*) the total number of motor-car cases disposed of by each stipendiary Presidency Magistrate and by the honorary Presidency Magistrates between 1916 and 1920 and the total amount of the fines imposed by each court, during the said period?

(*b*) Will the Hon'ble the Member be pleased to state—

(*i*) what is the pay of the newly-appointed stipendiary Presidency Magistrate in charge of the newly created motor-car court and what are the terms of his appointment;

(*ii*) what is the rent of the building which has been recently hired in Radha Bazar for the trial of motor-car and traffic cases; and

(*iii*) what menial, ministerial and police establishments have been sanctioned for the motor-car court?

(*c*) Is the Hon'ble the Member aware—

(*i*) that the new motor-car court is situated in dark, ill-ventilated rooms on the ground floor of a very old building in Radha Bazar and that there is no compound there, able to accommodate the number of people involved in "petty" and "motor-car" cases; and

(*ii*) that the capacity of the rooms of the traffic court in Radha Bazar is smaller than that of the rooms for the trial of "petty" and "motor-car" cases in the Bankshall Street police court?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) (*i*) and (*ii*) Two statements are laid on the table.

(*b*) (*i*) Pay Rs. 600 a month. The post is temporary at present.

(*ii*) Rent Rs. 500 a month inclusive of taxes.

(*iii*) Establishments sanctioned:—

Ministerial—One Bench Clerk; two Process Clerks; one Assistan Cashier; one Assistant Accountant.

Menial—Three Peons; one Duftry; one Sweeper;

Police—One Sub-Inspector; one Assistant Sub-Inspector; four con stables.

(*c*) (*i*) The ground floor of premises No. 11/1, Radha Bazar Lane has been secured only temporarily for want of better accommodatio at any other convenient place. The building is no doubt very old an not very well ventilated, but in its front compound there is sufficien space for litigants and witnesses unless the number of cases is unusuall large owing to any special reason.

(*ii*) Yes; but the rooms where the petty cases are tried taken togethe have larger space than the room used for the same purpose at the centra court.

Statement referred to in the reply to clauses (a) (i) and (ii) of unstarred question No. 113.

YEAR.			Total number of motor car cases disposed of by Presidency Magistrates	Amount of fines imposed
				Rs.
1916	...	...	1,059	8,662
1917	...	...	1,737	13,293
1918	...	...	1,368	14,415
1919	...	...	2,330	15,510
1920	...	...	5,755	53,959

Statement referred to in the reply to clauses (a) (i) and (ii) of unstarred question No. 113.

Year.	Chief Court		Second Court.		Third Court.		Fourth Court.		Fifth Court.		Honorary Magistrates' Court.	
	Number of cases disposed of.	Amount of fines imposed.	Number of cases disposed of.	Amount of fines imposed	Number of cases disposed of	Amount of fines imposed.	Number of cases disposed of.	Amount of fines imposed.	Number of cases disposed of.	Amount of fines imposed.	Number of cases disposed of.	Amount of fines imposed.
1	2	3	4	5	6	7	8	9	10	11	12	13
		Rs		Rs		Rs		Rs.		Rs.		Rs.
1916	220	2,451	330	2,824	2	Nil	489	3,187	7	66	11	134
1917	98	1,008	116	849	22	35	1,123	9,958	364	1,271	14	172
1918	...	...	49	429	122	2,328	14	115	1	4	1,182	11,539
1919	...	...	134	805	11	45	11	120	...	...	2,174	14,440
1920	3	Nil	402	4,435	84	1,637	129	1,413	...	...	5,137	46,484

Rai Dr. HARIDHAN DUTT Bahadur: Is the Hon'ble Member aware of the existence of a privy or latrine just behind the place where the newly appointed stipendiary Magistrate holds his court for trying petty cases?

The Hon'ble Sir ABD-UR-RAHIM: I am not aware of it. If the hon'ble member assures me that this is so, I have no reason to doubt it.

Presidency Magistrates, Calcutta.

114. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a copy of the circular in pursuance of which the Deputy Magistrates and other gazetted officers are not allowed to remain at a station for more than three years and are transferred from time to time?

(*b*) Will the Hon'ble the Member be pleased to state:—

(*i*) how many members of the Provincial Executive Service are there now holding appointments as Presidency Magistrates in Calcutta;

(*ii*) for how many years have each of them been in Calcutta; and

(*iii*) in cases where officers have been more than three years in Calcutta, why they were not transferred at the end of three years?

The Hon'ble Sir HENRY WHEELER: (*a*) There is no such circular.

(*b*) (*i*) Three, including one occupying a temporary post.

(*ii*) One has been in Calcutta for eight years and seven months in the posts of Fourth and Third Presidency Magistrates. Another has been in Calcutta for eight years and ten months, of which three years and eleven months have been spent in his present post. The third has been in Calcutta a little over a year, including over three months in his present post.

(*iii*) The period for which an officer is kept in a post is at the discretion of Government and depends on the nature of the post, the qualifications of the officer, and the interests of the public service. There is no ground for the assumption that three years is a maximum.

Deputy Director of Agriculture.

115. Maulvi EKRAMUL HUQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what sums have been drawn by the Deputy Director of Agriculture, Presidency Circle, as travelling allowances during the months of June, July, August and September, 1921?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The member is referred to the reply to a starred question asked by him at this meeting.

Appointment of munsifs.

116. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether new officiating appointments in the Bengal Judicial Service have at present been discontinued?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state the period since when no officiating appointments as munsifs have been made and for how long no such appointments will be made?

(*c*) Are the Government contemplating the promulgation of new rules for the recruitment to the said service?

(*d*) If so, when are the rules likely to be published?

(*e*) Will the Hon'ble the Member be pleased to state whether it has been decided not to make any new officiating appointments till the publication of the new rules?

(*f*) Will the Hon'ble the Member be pleased to state the number of candidates for munsifships who have been enrolled after their interview with the Hon'ble Judges in charge of the Department in the Hon'ble the High Court and also who have not, as yet, passed the requisite age-limit of 27 years?

(*g*) Will the Hon'ble the Member be pleased to state whether the existing rules make it incumbent for a candidate to complete full three years' practice to claim enrolment in the list?

(*h*) If so, has any departure been made from this rule?

(*i*) Will the Hon'ble the Member be pleased to state the number of the candidates exempted from this rule?

(*j*) Are the Government considering the desirability of making any change in the age-limit of future candidates?

(*k*) If so, will the Hon'ble the Member be pleased to state whether the proposed change will affect those candidates who were enrolled after three years' practice?

(*l*) If the answer to (*k*) is in the affirmative, will the Hon'ble the Member in charge be pleased to state whether the Government contemplate considering the cases of those who have been previously enrolled after complete three years' practice at the Bar?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) The number of members of the legal profession who are officiating or have officiated as munsifs being greater than the number of vacancies likely to be available when new rules come into force no new officiating appointments have been made since October, 1920. Government is not in a position to say when the absorption of officiating

munsifs in permanent appointments will necessitate the appointment of other gentlemen to officiate.

(*c*) Yes.

(*d*) The rules are under preparation.

(*e*) No.

(*f*) Seventeen.

(*g*) No. The High Court has the power to exercise its discretion in the matter.

(*h*) and (*i*) The questions do not arise.

(*j*), (*k*) and (*l*) Government is not in a position to make any statement at present, as the rules are still under consideration.

Honorary Presidency Magistrates.

117. Babu SURENDRA NATH MALLIK: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing the names and the educational and other qualifications and occupations of all the Honorary Presidency Magistrates of Calcutta?

(*b*) Will the Hon'ble the Member be pleased to state—

(*i*) how Honorary Presidency Magistrates are appointed;

(*ii*) on whose recommendations are the appointments made;

(*iii*) on what principles are the selections made; and

(*iv*) whether it is a fact that a "confidential inquiry" is made by the Criminal Investigation Department as to the "antecedents" of any candidate, before he is appointed as an Honorary Presidency Magistrate?

(*c*) Will the Hon'ble the Member be pleased to place on the table a list of the Honorary Presidency Magistrates who have been invested with single sitting power, in the Calcutta Police Courts, while they exercise only the powers of the Magistrate of the second or third class outside Calcutta?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) A statement giving information as far as possible is laid on the table.

(*b*) (*i*), (*ii*) and (*iii*) Honorary Presidency Magistrates are ordinarily appointed by Government once a year on the report or recommendation of the Chief Presidency Magistrate who considers the merits of candidates and also recommends how many should be appointed. Occasionally Government receive applications direct from candidates and these are ordinarily forwarded to the Chief Presidency Magistrate for his remarks before appointment is made.

(*iv*) The answer is in the negative.

(*c*) There are only two such Magistrates, viz., Babu Atul Kumar Sen and Babu Jatindra Nath Sen.

Statement referred to in the reply to clause (a) of unstarred question No. 117.

	Educational qualifications (where known).	Other qualifications.	Occupation.
SOUTHERN DIVISION			
1. Mr. Rustomji Hirijibhai Manekji Rustomji.	.....	Commissioner, Calcutta Corporation.	Merchant.
2. Mr. Jogen Chandra Dutt.	M.A ...	Sometime examiner in law of the Calcutta University	Attorney, Calcutta High Court.
3. Sir Kailash Chandra Bose, K.C.I.E.	Graduate, Calcutta Medical College.	Sometime President of the Faculty of Medicine in the Calcutta University.	Medical practitioner.
4 Dr Satya Prosad Sarbadhicary.	.....	.....	Ditto
5 Mr. Alexandra Benjamin Westerhouts	.....	.....	Merchant.
6 Maulvi Ghulam Husain Cassim Ariff	.....	Late a member of the Bengal Council.	Landholder and merchant.
7 Mr Francis Augustus Daniel Larmour, M.L.C.	.....	.....	Proprietor of Messrs. Lazarus & Co.
8. Babu Narendra Nath Mitter	.....	.....	Zamindar and banker.
9. Babu Atal Kumar Sen	.....	Baman of the Bonded Ware House.	Zamindar and merchant
10. Rai Jogesh Chandra Mitra Bahadur.	Graduate-in-Law	.....	Retired District Sessions Judge.
11. Rai Radha Charan Pal Bahadur, M.L.C.	.....	Commissioner, Calcutta Corporation; Member, Bengal Legislative Council; Member, Improvement Trust.	Zamindar and Banker.
12. Rai Mati Lal Haldar Bahadur.	Graduate-in-Law	.....	
13. Rai Jogendra Nath Mitra Bahadur.	Ditto ...	.....	

		Educational qualifications (where known).	Other qualifications.	Occupation.
14.	Mr. Rustomji Dhunjibhari Mehta, C.I.E.	.....	Late Persian Consul General; late a Sheriff of Calcutta.	Merchant and banker.
15.	Babu Kedar Nath Bose.	Graduate ...	.....	Publisher of books and landholder.
16.	Babu Pasupatinath Deb.	.....	Late Municipal Commissioner, Calcutta Corporation	Zamindar.
17.	Babu Satis Chandra Pal Chaudhury	Attorney-at-Law	Belongs to the Pal Chaudhury family of Raraghat.	Landholder and Attorney, Calcutta High Court.
18	The Hon'ble Mr. Sayid Altaf Ali.	A scholar in the Aligarh College.	Elected member of the Council of State; Honorary Magistrate, at Bogra.	Zamindar.
19.	Prince Afsar ul-mulk Mirza Muhammad Akram Hossain Bahadur	.....	Late a Sheriff of Calcutta; son of the ex King of Oudh	Political pensioner.
20.	Babu Promotha Natn Paramanick	.....	Grandson of late Tarak Nath Paramanick.	Merchant and landholder
21.	Maulvi Abdur Rahim, M.L.C.	....	Member Bengal Legislative Council, late member of the Indian Legislative Council, nominated Commissioner, Calcutta Corporation.	Zamindar and Merchant
22	Mr I. J. Cohen	.....	Commissioner of Calcutta Municipality, Honorary Magistrate, Sealdah, with first class powers.	Landholder and and Merchant.
23.	Rai Dr Haridhan Dutt Bahadur, M.L.C.	Graduate-in-Medicine.	Member, Legislative Council; Commissioner, Calcutta Municipality.	Medical practitioner.
24.	Mr. J. H. Simpson	.....	.....	Merchant.
25.	Mr. Birendra Nath Sirkar.	.....	Member of the Kar Tarak & Co.	Ditto.
26.	Kumar Surendra Nath Law.	.....	Eldest son of Raja Resh Kesh Law, C.I.E., of Calcutta.	Zamindar and merchant.

		Educational qualifications (where known).	Other qualifications.	Occupation.
27.	Mr. G. P. Shelton	.....	.....	Partner of Messrs Lyon and Lyon.
28.	Rai Mani Lal Nahar Bahadur.	.....	Honorary Magistrate with first class powers at Sealdah.	Zamindar.
29	Babu Nibaran Chandra Ghatak.	.....	Retired Presidency and Municipal Magistrate.	Government pensioner.
30.	Mr. J. Henderson Grey.	.....	.....	Merchant; Partner, Messrs. King, Hamilton & Co.
31	Babu Gokul Chandra Mondal.	B.A. ...	.....	Attorney, Calcutta High Court.
32	Mr. Panna Lal Banerjee.	.....	.....	Merchant.
33	Mr. David Jacob Cohen, M.B.C.	.....	Member, Bengal Legislative Council; Honorary Magistrate with first class powers at Sealdah, Commissioner, Calcutta Corporation.	Landholder and Merchant.
34.	Cursetjee Heerjeebhoy Manackjee Rustomjee.	.....	.....	Merchant.
35	Dr Nogendra Nath Chakravarty	Graduate in Medicine, Calcutta University	.....	Medical practitioner
36.	Mr. Jogesh Chandra Sen.	.....	.....	Landholder and merchant.
37.	Mr. Jogesh Chandra Sinha.	.....	A member of the family of late K. P. Singha of Jorasanko	Landholder.
38.	Prince Dara Jah Mirza Muhammad Abdul Ali Bahadur.	.....	Belongs to the family of the ex-King of Oudh.	Political pensioner.
39.	Mr. G. A. K. Hutton	.....	.....	Merchant; Manager. Walker, Goward & Co.

	Educational qualifications (where known).	Other qualifications.	Occupati
40. Maulvi Noor Muhammad Ismail.	.....	.....	Merchant.
41. Mr. J H Pattinson, M.L.C.	.....	Member, Bihar and Orissa Legislative Council.	Ditto.
42. Mr. J. Cogswell ...	.....	.....	Ditto.
43. Mr C. J. Mackay	.....	.....	Manager, Trust Es
44 Babu Fanindra Lal De, M.L.C.	.....	Member, Legislative Council, Bengal; Honorary Magistrate of Baranagore.	Zamindar
45. Babu Satyendra Nath Roy.	M.A., B.L ...	.....	Vakil, Court, Ca
NORTHERN DIVISION.			
1. Babu Jogendra Nath Ray, M.L.C.	.....	Member, Bengal Legislative Council, belongs to the Bhugyakul family of Dacca.	Zamindar banker.
2. Rai Pran Kissen Biswas Bahadur.	Graduate in-Law	Retired District Sessions Judge.	Governme sioner
3. Babu Jadupati Banerjee.	Ditto ...	Retired Sub-Judge ...	Ditto.
4. Babu Jogendra Nath Deb.	.....	.....	Landholde
5. Jogendra Nath Chakravarty.	Graduate-in-Law	Retired Sub Judge	Governme sioner.
6. Rai Satyendra Nath Sen Bahadur.	.....	Editor, "Indian Mirror"; Registrar of Brahmo Marriages.	Attorney, High Co
7 Babu Troilakhya Nath Gossin.	.....	Retired Interpreter, Calcutta High Court.	Governmen sioner.
8. Babu Tarit Bhusan Ray.	.....	Member, Bengal Legislative Council; Secretary, Mahjan Sabha.	Attorney, High Cou

		Educational qualifications (where known).	Other qualifications.	Occupation.
9.	Babu Hem Chaudra De.	.....	Sometime Chairman, Cossipore-Chitpur Municipality.	Attorney, Calcutta High Court.
10	Babu Jotindra Nath Sen.	.....	.....	Landholder and kaviraj.
11.	Kumar Rajendra Narayan Ray.	.....	Son of Raja Direndra Narayan Ray of Jorasanko Raj Bati.	Zamindar.
12.	Babu Barendro Nath Mitra.	.....	.....	Ditto.
13.	Babu Jaladhi Charan Mukerjee.	.....	Grandson of Maharaja Bahadur Jatindra Mohon Tagore	Landholder
14.	Babu Panchanon Mookerjee.	.....	.....	Zamindar and merchant
15	Pandit Sunder Lal Missir.	.....	.....	Landholder and merchant
16	Rai Sahib Makhan Lal Ghosh	.....	Late Head Assistant in the Foreign Department of the Government of India, also Honorary Magistrate of Barasat.	Government pensioner.
17.	Babu Bangshidhar Sett.	.....	.....	Merchant.
18.	Babu Jadu Nath Ray.	.....	.....	Zamindar and banker.
19.	Babu Murali Dhar Ray.	.....	.....	Ditto
20.	Mr. P. N. Sen ...	.....	.....	Attorney, Calcutta High Court.
21.	J. W. Chippendale	M.A., B.L. ...	.....	Vakil, High Court.
22.	Babu Ajit Nath Das.	.....	Visitor, Campbell Hospital	Zamindar and banker.
23.	Badridas Goenka	B.A. ...	.....	Zamindar and merchant.
24.	Behari Lal Mullick	.....	.....	Landholder.
25.	Shahibzada Ahmed Hossain Khan.	.....	.....	Ditto.

Calcutta University constituency.

118. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble the Member in charge of the Appointment Department aware that influences were exercised on the professors and other officials of the Calcutta University by its authorities to vote for a particular candidate at the election of the member for the Bengal Legislative Council from the University constituency ?

(*b*) Is the Hon'ble the Member aware that Sir Ashutosh Mukherjee canvassed for Sir Nilratan Sarkar?

(*c*) Will the Hon'ble the Member be pleased to state whether there are any rules to prevent the President of the post-graduate teaching from canvassing for the Vice-Chancellor for election as a member of the Bengal Legislative Council from the University constituency?

The Hon'ble Sir HENRY WHEELER: (*a*) No.

(*b*) No.

(*c*) The post of President of the post-graduate teaching is not one in Government service, and the Government service rules do not apply. There are no other Government rules on the subject.

Post-graduate Department of the Calcutta University.

119. Rai RADHA CHARAN PAL Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether it is a fact that the post-graduate teachers of the Calcutta University who are attached to the Presidency College are not allowed to draw the honoraria paid to them by the University?

(*b*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the post-graduate teachers who are attached to other Government colleges are allowed to draw their honoraria?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, will the Hon'ble the Minister be pleased to state the reasons for this differential treatment?

(*d*) What is the total amount which the Government get annually as honoraria of these Presidency College teachers?

(*e*) What is the amount annually granted by the Government to the Calcutta University for the pay of post-graduate lecturers of the Calcutta University?

(*f*) Will the Hon'ble the Minister be pleased to state what is the approximate annual expenditure of the post-graduate department in the Calcutta University—

(*i*) in Arts; and

(*ii*) in Science?

(*g*) What is the total annual Government grant for this department?

(*h*) What are the sources of income out of which the expenditure of this department is met and what are the approximate revenues under each head?

(*i*) Is the Hon'ble the Minister in a position to say what will be the probable deficit in the current year on account of the fall in the number of candidates and students?

(*j*) How does the University propose to meet this deficit?

(*k*) Are the Government contemplating making any special grant this year to meet this deficit?

The Hon'ble Mr. P. C. MITTER: (*a*) It is a fact.

(*b*) Yes.

(*c*) Reference is invited to the reply given to clause (*f*) of unstarred question No. 217, put by Babu Surendra Nath Mullick in the last session of the Council, a copy of which is annexed.

(*d*) In return for the services of certain professors of Presidency College as University lecturers, Government received from Calcutta University, Rs. 34,200 for 1917-18, Rs. 34,998 for 1918-19 and Rs. 33,460 for 1919-20.

(*e*) Rs. 43,000 including the cost of the Chairs which Government maintain.

(*f*) (*i*) Rs. 4,59,666.

(*ii*) Rs. 5,67,258.

(*g*) Rs. 55,000 excluding the Government grant for the University Law College.

For 1920-21.

(*h*) (*1*) Government grant, Rs. 55,000.

(*2*) Fees from students, Rs. 1,05,000.

(*3*) Fees from students attached to Presidency College, Rs. 20,000.

(*4*) Share of examination fees, Rs. 2,36,416.

(*5*) Contribution from the fee fund, Rs. 1,67,342.

(*i*) No.

(*j*) Government is unaware whether the University has framed its intentions. It has however, applied to Government for help.

(*k*) The situation is receiving attention.

Reply referred to in the answer to clause (c) of unstarred question No. 119.

(*f*) The Presidency College was affiliated in M.A. and M.Sc. in most subjects before the present post-graduate arrangements were introduced, and its staff had

been appointed to meet the requirements of the college in this respect. The new arrangements threw no extra work upon them, as post-graduate teaching was already part of their duties, for which they are paid by Government. The situation is different with regard to other Government colleges, which had no M.A or M.Sc. affiliation: the members of their staff who take part in post-graduate teaching do so in addition to their ordinary duties, i. e., in addition to the duties for which they are paid by Government.

Taxi-cabs and motor-lorries.

120. Rai RADHA CHARAN PAL Bahadur: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state the number of taxi-cabs now running in Calcutta, indicating the numerical increase during the current year in comparison with the figures for the last four years?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a statement showing the number of accidents, and prosecutions with results arising out of rash and negligent taxi-driving, during the last five years including the present, as compared with those on account of private cars?

(*c*) What steps are the Government taking in order to minimise accidents?

(*d*) Will the Hon'ble the Member be pleased to lay on the table a statement, showing the number of motor-lorries now plying in Calcutta, as well as the number of owners thereof?

(*e*) What steps are the Government taking to regulate transport traffic by lorries?

(*f*) Are there any rules fixing the maximum number of trailers permissible to be attached to a single lorry?

The Hon'ble Sir HENRY WHEELER: (*a*) The approximate numbers are—

1917	588
1918	549
1919	893
1920	1,450
1921 up to October	1,400

(*b*) A statement is laid on the table.

(*c*) Revised rules to ensure greater control have been issued with effect from the 1st of November last. These include provisions for the stricter examination of applicants for licences to drive and for the cancellation or suspension of the licences of offenders by the Commissioner of Police. The executive staff of the Public Vehicles Department has

been strengthened within the last year, and a Magistrate's court for the trial of traffic cases has been established.

(*d*) The number of motor-lorries is roughly 560, and the number of lorry-owners is about 190.

(*e*) Rules regulating the use of motor-lorries are contained in Part VI of the rules issued under the Motor Vehicles Act. Under rule 8 of Part III of these rules, the use of certain streets by heavy motor-cars is forbidden or restricted. The revision of this rule is at present under consideration.

(*f*) Under rule 9 (*2*) of Part III of the rules, only one trailer is allowed. A copy of the rules is placed on the library table.

Statement referred to in the reply to clause (b) of unstarred question No. 120.

TAXI-CABS.

YEARS.	Number of accidents	Prosecutions.	Punished with fine	Punished with imprisonment
1917	225	187	157	1
1918	367	246	176	1
1919	560	143	99	2
1920	996	315	180	30
1921 (up to September) ...	704	280	174	6

PRIVATE MOTOR CARS.

1917	211	31	24	1
1918	252	38	27	1
1919	243	36	25	1
1920	468	113	77	6
1921 (up to September) ...	398	142	77	4

Fourth Sub-Judge's Court, Dacca.

121. Babu JOGENDRA NATH ROY: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that on account of some misunderstanding, the local pleaders are not appearing in the court of the Fourth Sub-Judge of Dacca, and, though this state of affairs has continued for more than three months, no settlement has been arrived at as yet?

(*b*) Is it a fact that the endeavours of the Hon'ble Sir Surendra Nath Banerjea and Mr. Gourlay to bring about a settlement have failed?

(*c*) Is it a fact that cases are being transferred to the file of this Sub-Judge, though no pleader appears before him?

(*d*) Will the Hon'ble the Member be pleased to state, since the decision of the pleaders not to appear before this Sub-Judge—

(*i*) how many cases in which no pleader appeared have been dismissed;

(*ii*) how many cases have been disposed of in the absence of the pleaders;

(*iii*) how many cases have been postponed;

(*iv*) how many times have most of the cases been postponed; and

(*v*) how many cases have been decided *ex parte*?

(*e*) Will the Hon'ble the Member be pleased to state why the Sub-Judge has not been transferred?

(*f*) Are the Government considering the desirability of transferring the Fourth Sub-Judge of Dacca to some other place?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) The member is referred to the answer given to the unstarred question No. 29 asked by Maulvi Rafi Uddin Ahmed at this session.

(*b*) It is understood that the Hon'ble Minister Sir Surendra Nath Banerjea endeavoured to bring about a settlement and failed.

(*c*) Some cases are being transferred to the file of the Fourth Subordinate Judge. The parties have been able to obtain the services of a few pleaders and the mukhtears.

(*d*) The information will be found in the appended statement.

(*e*) and (*f*) No answer can be given unless the decision of the High Court in the proceedings instituted against certain pleaders under the provisions of the Legal Practitioners Act is known.

Statement referred to in the reply to clause (d) of the unstarred question No. 121.

Nature of cases.	Number of cases dismissed in which no pleader appeared.	Number of cases disposed of in the absence of the pleader.	Number of cases postponed.	Number of times most of the cases postponed.	Number of cases decided *ex parte*.
Original Suits—Title ...	9	46	166	On the average four times approximately and roughly.	19
" Money	5	22	28		5
" Rent...	1	2	...		...
Appeal—Title ...	15	41	22		2
" Money ...	...	14	13		2
" Rent ...	6	22	11		2
Total ...	36	147	240	.....	30

Circle officers.

122. Raja MANILOLL SINGH ROY: Will the Hon'ble the Member in charge of the Appointment Department be pleased to state—

(*i*) whether he is aware of the Accountant-General Bengal's Circular No. 354 T.M./G.A.D., dated 21st July, 1921, addressed to all Treasury Officers, on the Government Resolution No. 4397 A., dated the 9th July, 1921;

(*ii*) whether it is the intention of the Government to grant the local allowance of Rs. 50 in "dry" and Rs. 75 in "water" districts to those Circle Officers only who might be out on tour for at least 20 days in a month;

(*iii*) whether it is the intention of the Government not to grant the local allowance to the Circle Officers during the Durga Puja and Christmas holidays when offices remain closed for about 12 days on an average, the officers availing themselves of the holidays;

(*iv*) whether it is the intention of the Government to disallow the local allowance to those Circle Officers who may be out on tour for most of the time, but are prevented from illness from completing the full number of days; and

(*v*) whether income-tax deduction is made from the fixed local allowance of Circle Officers given in lieu of travelling allowance?

The Hon'ble Sir HENRY WHEELER: (*i*) and (*ii*) Yes.

(*iii*), (*iv*) and (*v*) The questions raised are still under consideration.

Darjeeling Municipality.

123. Raja MANILOLL SINGH ROY: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) whether it is a fact that the seats on the Municipal Board of Darjeeling are distributed as follows:—

1. Ghum Ward—One Commissioner for 157 voters.
2. Woodland Ward—Two Commissioners for 16 voters.
3. Chandmari Ward—Two Commissioners for 155 voters.
4. Rockville Ward—Two Commissioners for 38 voters.
5. Bazar Ward—Two Commissioners for 149 voters.
6. Birch Hill Ward—Four Commissioners for 55 voters.

(*ii*) whether it is a fact that the Woodlands, Rockville and Birch Hill Wards have invariably been, and still are, represented by European and Anglo-Indian Commissioners since the introduction of the elective system in the Darjeeling Municipality?

(*iii*) whether it is a fact that the Chairman of the Darjeeling Municipality admitted in his Annual Administration Report of the Municipality for the year 1920-21 that the distribution of seats on the Municipality required revision?

(*b*) If so, will the Hon'ble the Member be pleased to state what steps, if any, have been or are being taken to remove the inequality in the distribution of seats?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*) No. There are 18 seats and not 13, distributed among 10 wards as follows:—

No. I (Ghum Ward)—One elected Commissioner.
No. II (Colinton Ward)—Two elected Commissioners.
No. III (Woodlands Ward)—Two elected Commissioners.
No. IV (Chandmari Ward)—Two elected Commissioners.
No. V (Butcher Basty Ward)—One elected Commissioner.
No. VI (Rockville Ward)—Two elected Commissioners.
No. VII (Bazar Ward)—Two elected Commissioners.
No. VIII (Birch Hill Ward)—Four elected Commissioners.
No. IX (Bhutia Batsy Ward)—One elected Commissioner.
No. X (Cutchery Ward)—One elected Commissioner.

The number of voters in the Bazar Ward is 203 and not 149.

(*ii*) Yes; the elective system was introduced in 1916.

(*iii*) Yes.

(*b*) A memorial on the subject has been received from the Ratepayers Association, Darjeeling, and the matter is now under consideration.

Sanskrit College.

124. Babu RISHINDRA NATH SARKAR: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether Government have decided that the Sanskrit College should be as far as possible an exclusively Brahminic Institution and that both teachers and students who do not belong to the Brahminic caste should be as far as possible excluded from the Sanskrit College even in its English Department and its attached school?

(*b*) Is it a fact that the present Principal of the Sanskrit College openly avows a prejudice against teachers and professors who do not belong to the Brahminic caste?

(*c*) Is it a fact that the teaching staff of the Government Colleges enjoy the privilege of electing a number of representatives from among themselves to be members of the Governing Body?

(*d*) Is it a fact that the Principal of the Sanskrit College has declared, and is seeking to prove in practice, that all members without exception of the Governing Body including those representing the staff, are to be appointed through the Principal's nomination?

(*e*) Is it a fact that in order to get rid of a representative of the staff on the Governing Body who is now on leave and before leave was actually granted to him and a vacancy occurred the Principal of the Sanskrit College has elected another member in his place?

(*f*) Is it a fact that the Principal of the Sanskrit College soon after he took charge of the College proposed the transfer of a professor before the Governing Body which rejected the proposal?

(*g*) Is it a fact that the Principal of the Sanskrit College interfered with the work of the said professor when he was delivering lectures and examined his competency before his students?

The Hon'ble Mr. P. C. MITTER: (*a*) No.

(*b*) Government has no information and think it not possible.

(*c*) Such election has not been authoritatively introduced into Government Colleges, but has been experimentally introduced into some.

(*d*) The practice of nomination prevails at the Sanskrit College for representation of the staff. Government has no information enabling it to answer the rest of the question.

(*e*) The question is not understood, as the right of nomination rests with Government, not with the Principal.

(*f*) Yes.

(*g*) The Principal, part of whose duty is to make an annual report on the working of all members of his staff, has necessarily paid attention to the work of this and of other professors.

Members' Speeches.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): Order! order! I am asked to mention that some members delay in returning the corrected portion of their speeches to the Legislative Department. This causes much inconvenience in the department and delays the publication of the proceedings. I am asked to inform members that the rule will be strictly observed in future and that, if proofs of speeches are not returned on the day fixed, the report will be printed as it stands and no further time will be given for correction. In the case of members leaving Calcutta, they should arrange with the Legislative Department so as to allow of their speeches being corrected before they leave, as it will not be possible, in future, if we are to expedite the publication of our proceedings, to send speeches to members in the mufassal. I hope members will kindly remember this.

Resolutions

(under the rules for the discussion of matters of general public interest).

The DEPUTY-PRESIDENT: We were discussing Appendix 15, when the Council rose on the 25th instant. Members will remember that Babu Annada Charan Dutta was permitted to move his resolution in the following altered form:—

"This Council recommends to the Government that early steps be taken by Government to start a nautical institution for Bengal at Chittagong or some other suitable place in Bengal for the training of seamen and officers." I now call on Babu Annada Charan Dutta to proceed with his speech.

Nautical Institution for Bengal.

Babu ANNADA CHARAN DUTTA: On the last occasion I referred to the past glory of Bengal in the matter of the art of navigation which has now died out. What the present state of affairs is should be looked into. Why is it that such a tale has to be narrated that the art of navigation dating from centuries and centuries, which testified to the natural instinct and aptitude, courage, fortitude and stamina of a whole people for sea-faring life, under circumstances hundred-fold more risky, hazardous and troublesome than at present, have now well nigh become extinct? How is it that it is now only confined to a few Mussalmans of Chittagong, Bakarganj, Noakhali and Sylhet (and portions of Calcutta, *viz.*, Kidderpore) and that even in regard to them it is confined to medical posts like khalasis, the highest being a serang in charge of vessels plying in inland waters? Even as late as the 'seventies and the 'eighties of the last century, hereditary knowledge had not fully died out, at least in Chittagong, and instances there were, when the owners of Chittagong vessels went out with their own ships to places like Galle, Pamban, the Maldives, Java, Jafna and other places. Alas, even this is now a matter

of past history! During the strained times of the last war, when shortage of tonnage was keenly felt the art of ship-building and of navigation were revived at Chittagong, and about two dozens of new ships were built in the Chittagong Dock by some old Jugi mistries of the locality who had not forgotten the art. One of the vessels was large, over 1,000 tons, and is it not a deplorable thing that it could not be captained by any Indian and a foreigner had to be engaged at a great cost? Bengal, specially Eastern Bengal, may even now boast of supplying a large number of seamen and even their hardest critics could never find fault with their natural stamina and fortitude for sea-faring life. But they only belong to the lowest rung of seamen who pick up some empiric knowledge and sit for some sort of examination under the Board of Trade; and when successful they get only a second class certificate which enables them to ply inland river steamers and not higher than that. This cannot be sufficient for the best material of Bengal, and it is no wonder that the higher class of people are not to be found among them. Why should they consent to serve only on the menial staff when they know that they have no higher prospect of becoming captains of sea-going vessels? It would not be quite profitable to discuss why this is the present state of affairs. Bengal has got hundreds of miles of sea coast and is fitted by nature to be one of the best maritime countries. I will not mention here in particular the reason for it. Possibly, it is that our Government is too peaceful, or the solicitude of a too much *ma-bap* Government may have allowed the unsuspecting people of Bengal to forget their knowledge of navigation or it may be that the people who had come here to become rich in whatever possible way they could, finding that the people of Bengal were under a foreign Government and were practically helpless, managed to steal away the whole of this art of navigation and the people themselves have forgotten everything. One thing that strikes us is that for becoming an officer of sea-going vessels you have got to obtain a first class Board of Trade certificate; otherwise, under the law that obtains here, one is not allowed to be an officer of a sea-going vessel—that is the first point. The second point is that in no sea-going vessels manned by European captains or where there are European apprentices, would they agree or condescendutely closed and closed to the knowledge of our Government. That has to take an Indian lad as an apprentice. Therefore, that opening is absolutely closed and closed to the knowledge of our Government. That has brought about a state of affairs that no Bengali is now fit to be a captain of a vessel of over 1,000 tons, though they could do so in the 'seventies and 'eighties so far as Chittagong was concerned. The result has been that in the race of national life and competitions with perhaps their own masters and the people of other countries, the unbacked people of Bengal are now nowhere, and the fact remains that, after a rule of over 150 years under the civilised British Government, which is a foremost maritime power in the world, Bengal has not only not learnt the modern art of navigation but has lost even the vestige of what it had before in this

direction. I would not say it was case of strangling to death like the textile industries but it was the chopping off of one vital limb necessary for the material progress of the country when the patient is under chloroform. The has now come when this should be remedied and, if it was a mistake, it should be rectified. Notice of this state of affairs was taken, first, by the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri in the now defunct Eastern Bengal and Assam Council in 1908. Were it not for the annulment of the partition of Bengal, perhaps this proposal would now have fructified in some shape or other.

In February, 1920, a committee was appointed by Government in Calcutta to consider the question of a nautical institute in Calcutta, consisting of 5 Europeans and 1 Bengali, Mr. P. N. Guha. They submitted their report in March, 1920, which Government was pleased to publish with their Resolution No. 2772-Marine of the 8th August, 1921, after my resolution on this subject went through ineffectually through two sessions of the Council. The resolution is, however, very disappointing. The matter has been shelved following the majority report. The majority report objected on the main ground—I am quoting their words: "It would not be feasible to carry Indian lads in vessels carrying European apprentices with whom the Indians would have to associate" and as if this was not sufficient, an insult was added in the suggestion that the Indian lads may not perhaps realise the difficulties and risks of sea-life and the Hindu lads might raise also the question of food and water. Mr. P. N. Guha, of course, dissented and suggested rather a mild course. To his credit it must, however, be said that he succeeded in ascertaining the cause of the refusal of his European colleagues to carry Indian lads in European vessels: and in his words, "got his colleagues to admit that it was the question of *prestige* that stood in the way." Although the aspirations of the Indian lads might be sympathised with, they could not be allowed to mix with European lads who were apprentices on board the steamers on equal terms. When further tackled they said, "they would not even care to carry mails if required to take Indian lads as apprentices on board their steamers." A mere recital of these facts is quite sufficient to show to what a sad plight we have been reduced. It is also quite sufficient to show that, not only in this direction but in almost all directions, our status is that only of carriers of water and hewers of wood and nothing higher than that. People who are very liberal in their profession would not even allow lads of respectable society to mix with European lads on equal terms as apprentices on board the vessels.

I had a casual talk with the Hon'ble Mr. Kerr in the lobby on this subject. I thank him for the sympathetic attitude, but I could not appreciate his remark when he said that Government was powerless in this matter. Is a powerful Government like that of Bengal backed by the Imperial Government—I would not mention the English Government—who do not hesitate to take two-thirds of our whole revenue so powerless?

If so, why is it so powerless? Is it a voluntary powerlessness or an assumed one to continue sweet patronage to ascertain favoured classes? It is really a sight for the gods to see that our Government pleads powerlessness when it is asked to help the poor people in getting a start in a matter material to the development of the whole country and a matter which has died out owing to its direct or indirect neglect.

Again, the word prestige accounts for the unwillingness of the whites to afford opportunities to Indian lads of family, culture and character to an opening in sea-life. I may not blame those people who want to take stand on *prestige* and shut out others from their monopoly. Monopoly there is and at least our Government, if it is really our Government, should take a note of all that and try to find out some means to remedy this state of affairs. I have every right to accuse our civilised Government that it has brought us to such a plight—a respectable people of a respectable country like Bengal— into such a disreputable position that their lads would not be allowed to associate with European lads on board the vessels. It may be excused in the persons who have come here to make riches, but can it be excused in a Government? If the policy of Government has rendered us so, that nothing but menial functions remain for us, can that policy be tolerated? If the Government pleads incapacity to induce people who are thriving upon us at our expense, I shall not say exploiting, does it not sound rather insincere not to say verging upon ludicrous The bogey of caste or the want of stamina or of health has now been fully exploded by the Bengali Regiment. Their reception in society by all—from the high caste Brahmins to the lowest class of Sudras—after their return from overseas is a complete answer to this insincere argument. In fact, Hinduism discards only the disloyal to its tenets; and this does not at all arise regarding Mussalmans and other castes. I am convinced that the State has allowed the art of navigation to die out and it is now the duty of the State to restore the same and find out the means.

In no other way can the injury done to Bengal in this matter be remedied.

Navigation is no longer a mere art—it is now a science—almost a perfect science controlling and regulating the art. All free and civilized countries have developed their knowledge of navigation by State backing in practical training at State cost and patronage and in public institutions. Even the laws have been enacted on that policy. Of course it was necessary to do so for the development of their commerce and industry so that there would be sufficient trained men who could hold their own against any other people. The series of English Navigation Acts from 1381—1390 down to the Customs Consolidation Act of 1876 will show the policy of England. Other countries have followed suit. But India—Bengal—has been sacrificed. Is it not now high time to revise the mistake? Was it not a deliberate mistake, too?

Without a proper institute, there is no other means left. There seems to be some sort of idea that what we ask for is something like a school as we understand by that term. But the institute or institution, which we want, is not such a school. It must be at once understood that a man cannot be fit for a sea-faring life unless he has got training on board vessels for some years. Therefore, what we want is not a theoretical school only but training vessels as well, properly manned at or near a sea-coast, so that the vessels can go out with the cadets into the deep sea and come back to safe harbour thus enabling the cadets to obtain a certain amount of practical training. With the development in size and speed of modern vessels the responsibilities of navigation have also increased. The knowledge of the deep sea has also increased, well-written text books—well-managed nautical institutions are all over the world. Can Bengal afford to remain indifferent? If you have really put Bengal in its way to autonomy, if all the professions we have heard recently are not mere cant, glorious visions, which are said to be visible, will vanish like dreamlands unless prompt and practical steps are taken to develop the nation all round Wise statesmanship consists in considering the people and its requirements as a whole and then set to work out the parts in a manner as may, in the end, certainly go to consolidate one whole nation and contribute to one great nationbuilding as a full organic growth.

May I ask if absolute neglect of this line of development of Bengal is consistent with this sort of statesmanship? I am aware that recently there was some sort of notification issued by the Marine Department inviting candidates, but there was no one forthcoming. I should think the condition precedent being four years' sea-training on board sea-going vessels our people were shut out. So it is a beautiful circle around which all the doors are closed against us, as our youths do not now possess the requisite training. I have particularly mentioned Chittagong because, so far as I know, it is situated on the Bay; it has got its majestic rivers, safe harbour and the different clan line steamers, both the deep sea-going and coasting line steamers. At Juldah there is a beautiful bungalow which is used as a sanatorium and there is an extensive piece of Government land which does not require acquisition. Training vessels can go out to sea even within 30 minutes. I think that none will object to Chittagong because instead of having none, it is better to have one institution at some place in Bengal if such a suitable place cannot be found.

The final obstacle raised is the poverty of Government. The poverty at the present times will be a very good argument to strangle very many noble projects, but it should be remembered that poor people always appeal to Government and the latter, I mean the Government, who are really the proper custodians of the people's welfare will not grudge retrenchment in other directions when called upon to make it by urgent

calls, calls for material and moral development of the country. I am aware of a certain scheme which has been formulated by a Government officer, Commander Withers, R.I.M., Chittagong, which, at the outset, will not cost more than a lakh of rupees and which, I believe, at the present rate of low prices of vessels, will still come down, as everybody knows the price of the tonnage has been reduced a great deal and a vessel which could not be bought for Rs. 2 lakhs last year can be got for Rs. 75,000 this year. To the credit of those gentlemen, whom I had the honour of seeing in this connection, it must be said that they seemed to be very enthusiastic over it and they promised to help. If Government be pleased to place a training vesstl, Commander Withers said that he would himself try and make it a success with the help of some other officers who will always be available in the port. I believe that if the institute is started somewhere else in Bengal, the same advantages will be forthcoming. I have very little to add now in urging this resolution to the acceptance of this Council. As my time is past, I move the resolution hoping that the Council will kindly accept it.

Rai RADHA CHARAN PAL Bahadur: I beg to move, on behalf of Babu Indu Bhushan Dutta by way of amendment that in motion No. 15 for the word "vessels" at the end the words "sea-going steam and other vessels" be substituted. I am sorry to say that Babu Indu Bhushan Dutta is laid up and I have been asked, with your permission, to move this amendment. I do not wish to add anything to what has fallen from Babu Annada Charan Dutta. He has placed the case so fully and lucidly that I need not dilate on this subject at great length, but what I should point out is this, and that is an outstanding fact that in these days when non-co-operation is so much in the air, it will be a signal proof of co-operation on the part of Government with the people if they accept this resolution whole-heartedly. It has been said—I do not know whether it is actually the opinion of Government—that the prestige of European officers will suffer especially if they are associated with their Indian fellow-subjects in the nautical service. I think that the fetish of prestige ought to be put an end to and ought to be demolished and we and the Government, Europeans and Indians, ought to show by a practical demonstration and by a practical proof that we are all determined to co-operate with each other for the advancement of the people of India and that will be the most effective answer to the non-co-operators. Here is a resolution which I may say serves as an acid test of the intention of Government and of the European community to associate with their fellow-subjects in India in all matters connected with the welfare of India. We all know that our countrymen have been demanding admission into the army and also into the naval service and this will be a beginning of the naval service. My countrymen, as is well known to the Government and to the European community, are fitted in every way to take part in nautical service. History shows that

they have in the past rendered splendid service and had their own mercantile marine. They did not in any way fall short of the requirements of that service. I hope that this resolution will be accepted by my European fellow-citizens.

The DEPUTY-PRESIDENT: The next resolution stands in the name of Babu Amulya Dhone Addy but it is covered by the motion of Babu Annada Charan Dutta. I would therefore ask Babu Amulya Dhone Addy to speak on the resolution as altered.

Babu AMULYA DHONE ADDY: I have much pleasure in seconding the resolution which has been moved by Babu Annada Charan Dutta as modified by Rai Radha Charan Pal Bahadur. It is my personal opinion that the proposed nautical school should be located in Calcutta because Calcutta is not only the centre of trade in Bengal but, if I may be allowed to say so, the centre of trade in India. Whatever my personal opinion might be, there is not the slightest doubt that there should be a nautical school in Bengal, be it located in Calcutta or in Chitagong In connection with the question as to whether there should be a nautical school or not, I beg to draw the special attention to the note of Pandit Madan Mohan Malavya in the report of the Indian Industrial Commission. The following appears in his note—

> Shipbuilding is an ancient industry in India and Indians carried on navigation in far distant lands, east and west, this has been fully established by Professor Radha Kumud Mukherji in his valuable history of Indian Shipping Both Darius and Alexander had hundreds of vessels constructed in India. Indian river-craft went so far as Mexico.

Then it appears further from that note that the Governor-General, Lord Wellesley, reporting in 1800 to his masters in Leadenhall Street, London, said—

> The port of Calcutta contains about 10,000 tons of shipping built in India of a description calculated for the conveyance of cargoes to England.

It further appears from that report that—

> . . . there is no reason why India should not be allowed to man her own ships when they are built She has already for many years past provided excellent crews for the ships of other nations and given facilities for education in nautical subjects and marine engineering. She should in course of time be able to supplement these crews, at any rate in the coasting trade, with capable officers and engineers. The supply of such men from Britain must be very short for many years to come, and facilities for recruitment in India would do much to render her self-supporting in case of another great war

It is clear that there was a time when ships used to be constructed by Indians and that these ships used to be provided with Indian officers. But times have altered. We are now dependent on foreigners for the construction of ships and steamers. We are now dependent on foreigners for the supply of officers thereof. It is most regrettable that only the menials on steamers are Indians. It is therefore desirable that

there should be at least one nautical school in Bengal. We find one in England and we find a number of them in all the civilised countries of the world. It is most regrettable that we have not even one in Bengal. This is one of the reasons for discontent in Bengal. The people are anxious for technical education; they are anxious to enter nautical service but no facilities have as yet been given by Government.

With these remarks, I beg to support the resolution as amended.

Rai UPENDRA LAL RAY Bahadur: I rise to support this resolution with the amendment proposed. Attempts have from time to time been made to impress upon the Government the necessity for starting a nautical school with the object of qualifying the young men of Bengal for higher appointments in the marine service. I gave notice of a similar resolution in or about the year 1914, but do not know why it was not allowed at the time. The last attempt was made by me when His Excellency the Governor of Bengal visited Chittagong in July last. In a deputation of the Port Commissioners, amongst other subjects, I referred to the establishment of a nautical school in Chittagong and His Excellency's reply was to this effect—

The fact that we appointed a committee to consider the question some time ago shows that there is no lack of goodwill on the part of Government to consider a feasible scheme

This shows that the Government realises the importance of the subject. But it has to be seen how far the Government is keen on giving effect to this pious wish. A committee was appointed consisting of seven members of whom two were Indians. One of the latter Mr. Abdool Rahman Dubash, a ship-owner of Chittagong, absented himself throughout the proceedings and took no part in them. The other Indian member submitted not exactly a note of dissent but expressed his views in a manner which showed his pessimism about the success of the scheme under present conditions.

Babu Annada Charan Dutta has explained the summary of the recommendations of the committee and I need not repeat them. The conclusions which the Government arrived at after the report had been submitted may be summarised as follows:—

The Government are not prepared under the present state of the provincial finances to embark on an expensive scheme of doubtful utility referring, I believe, to the suggestions about the provision of a nautical school for theoretical training and of a training ship for service at sea. The European members of the committee were of opinion that there would not be sufficient numbers willing to go to sea. I fail to see what made them arrive at this conclusion. I know of a good many men in Chittagong anxious to get a master's or mate's certificate but where is the opportunity? The arguments put forward will not stand the test of scrutiny. They are afraid that the shipping companies would not find it possible or expedient to employ Indians as apprentices

while there were other Europeans on board with whom these Indians would have to associate. To what extent this is the outcome of any goodwill it will be for the public to judge. Why, Sir, should there be such a feeling amongst the shipping companies? Are they determined to keep Indians down as lascars and menials only? Is it not a fact that the coasting steamers of the British India, Asiatic and other steamship companies are manned by Indian lascars mostly, if not exclusively? Have they not got Indian clerks even Brahmins on board? Why then should they stand in the way of taking Indian apprentices for training in the higher grades? Does it mean co-operation of which so much is now said? Turning to the inland steamship companies, I may inform the House that long ago before these companies opened their services on the Padma, Dhaleswari, Megna and other rivers the Government had a passenger and mail service in which steamers in charge of European captains were engaged. When the India General and River Steam Navigation companies started in opposition, the Government withdrew the service and steamers bigger in size and capacity are now plying on these waters. And who are the captains or serangs in charge? They are all Indians. What does this show? Does it imply that Indians would be unwilling to go to sea if opportunities are given to them? Why presuppose a thing? Give them opportunities first and then form your conclusions. I regret I cannot agree with the members of the committee who say that a number of lads would probably be Hindus and the questions of food and water would arise. Nothing could be more illogical than this. If Hindus can go out to sea for other duties, can they not do so for qualifying themselves for the posts of masters and mates in ships also? If we turn to our Muhammadan brethren we can speak of hundreds of them working in steamships plying all over the world.

Unfortunately there are not many shipping concerns owned by Indians and, of all the presidencies, Bengal is the most backward in this respect. There are a good many men hailing from the Bombay and Madras presidencies who possess master's and mate's certificates with certain restrictions. I am not aware whether there are nautical institutions in all these places, but I would urge the opening of such an institution in this presidency without any further delay. I understand the Port Officer of Chittagong has prepared a scheme which is not very expensive and effect to which can be given without much loss of time. There are already several big sea-going sailing ships in Chittagong and training for sea-going life would be quite easy in them. The only other requirement is a nautical school where theoretical knowledge can be imparted, and if opportunities are given in this direction apprenticeships on sea-going vessels would follow. I appeal to the members of the Chamber of Commerce, some of whom are interested in one or other of the coasting steamship services, to consider whether they should not encourage and give facilities to the Indians for qualifying themselves

for these higher appointments in their own steamers. Would it not be cheaper for them if they could get qualified young Indians to work on their steamers on salaries much less than those paid to men recruited from England and other places. If they have such a desire the question becomes a very simple one. I am sure the Port Commissioners of Calcutta and Chittagong will also benefit by this arrangement as in that case they would get for their pilots and harbour masters men on wages much below the average they have now to pay.

I do not know whether my friend, the mover of this resolution, contemplates by the term *nautical institution* a training ship alone or a training ship and a school for imparting theoretical education on land also. In either case, I believe the costs will not be very great and in the interests of all concerned it is desirable and necessary that Government should no longer shelve this question of immense importance to the people of this presidency. From the reports of the committee as also from the resolution of the Government No 2772-Marine, dated the 8th August, 1921, on the subject, one cannot have any idea as to what the scheme, taking both sides of it, would cost. In the absence of particulars or an approximate idea of the cost both recurring and non-recurring, we should not throw the project aside If it does not involve prohibitive expenditure it should be taken up immediately If, on the other hand, the expenditure is rather heavy, there is no reason why the principle should not be accepted and the scheme taken in hand when funds are available Prices of all classes of vessels have gone down to a great extent and this appears to be an opportune moment for taking up the project.

Babu TANKANATH CHAUDHURI: I beg to support the resolution moved by Babu Annada Charan Dutta as well as the amendments which have been made on the original resolution The previous speakers have alluded to the past history of seamanship in India, but we need not go into the details of what we had We should consider only one thing and that is this that when the people of Bengal want to learn seamanship now the Government should help the people in learning it. It is a legitimate demand from the people and I hope that the Government will try its best to have that hope realised as early as possible

With these few remarks, I beg to support the resolution.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: In connection with this resolution all that I have to say is that I have some personal experience of the kind of seamanship training the want of which stands in the way of Indian seaman getting into better nautical service. In fact in my evidence before the Industrial Commission I pointed out this fact and asked for the opening of a nautical school at Chandbali. But of course we are now discussing the subject as it affects Bengal and, I daresay, Chittagong offers the same facilities as Chandbali. When I was Assistant Secretary of the British Indian Seaman's Association in

England (an honorary office), I met with a large number of lascars and firemen whom I found to be quite competent to go through a course of nautical training. In fact I took one of these men to a nautical school in Poplar and explained to him how training is offered at this institution. An institution of this kind is worth having here and I think that if funds are forthcoming and on inquiries being made as to the number of people who would be willing to go through this course of training, and we find that a sufficient number of people are likely to come in, it would be a good case for establishing a nautical school. I, therefore, support the resolution.

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. Kerr): I am sure that everybody will have a good deal of sympathy with those who desire to afford a career in the mercantile marine to the youths of Bengal, but the question before the Council is whether this particular proposal in the resolution is the best way to set about that business. I would point out, in the first place, that this resolution is far from being clear. The idea of Babu Annada Charan Dutta about a nautical institution seem to vacillate between a school with land and buildings and a steamer going out on the deep and coming back at intervals; or a combination of both. That is a matter of detail perhaps, but it would certainly affect the expense, and I shall show later on that we cannot afford to disregard the question of expense at the present moment. An even more troublesome question is that the resolution proposes that this institution should be for the training of both seamen and officers. I venture to suggest to the Council that this is an impracticable proposition. In England where there are these facilities for both seamen and officers, I think I am right in saying that they are never in the same institution. The officers' training ships which exist in England are intended for youths of the educated classes, and that, I take it, is what most of the members had in view when they referred to the desirability of throwing the mercantile marine open to the youths of this country. That is one class of institution in England. The other class is the institution at Poplar mentioned by Mr. Chaudhuri, where men of the seamen class go for short training in the intervals between their voyages. Before we can make any progress with the proposal in the resolution we should have to be very clear as to what we really want. Taking the case of the educated boys, I should like in the first place to clear up some misunderstanding that appears to exist regarding the committee on the nautical school. The committee was appointed at the instance of Sir John Cumming, who took a great interest in this matter. It was not a representative committee, it was not intended to be representative of public opinion or anything of that kind. It was practically a committee of ship-owners. Sir John Cumming invited three British firms, *viz.*, the British India Steam Navigation Company, the India General Navigation and Railway Company, and the River Steam Navigation Company, to nominate members

and these firms nominated their marine superintendents. Then he asked two Indian firms, Sonatan Nityananda Ray and Munshi Abdul Rahman Dubash of Chittagong, to nominate representatives of the Indian ship-owners. That is to say, there were three British ship-owners and two Indian ship-owners on the committee with the Port Officer as the President. The functions which were assigned to that committee were to ascertain whether there was any scope for an institution to give theoretical training in the art of navigation in Bengal. The first thing the committee set themselves to do was to inquire whether there was any Bengali lad who really wanted this nautical training. In response to their invitation six youths put in a memorial. They were asked to come and meet the committee but they never turned up. Consequently the committee had no evidence whatever that there was a real desire for a career at sea on the part of that section of the community whose interests they were specially considering. That has been my own experience also. I have been in touch with a considerable number of people during the last eight or nine months in connection with this question and I have often asked them to bring me a boy who would be willing to go to sea. I have not seen that boy yet. It is no good talking about a nautical career in this Council. What we want to get at in the first place is whether there are really any boys who want a nautical career. When we find those boys we want to ascertain whether there is going to be any sort of career for them and who is going to employ them. That will be the second stage of the inquiry. Babu Annada Charan Dutta has pointed out that there are difficulties in the way of getting employment under European ship-owners. It is not the case that the Government have ever used the word prestige in this connection but that was, I think, the word used by Mr. Guha in his note, in which he described the actual views of his colleagues on the committee. We have to face facts and when we got the committee's report we began to inquire on the lines indicated by Mr. Guha whether any Indian firms were willing to take these youths as apprentices. The Indian firms consulted were not enthusiastic, and that I think will be admitted by everybody who has practical experience of the shipping trade. But the firm of Sonatan Nityananda Ray have told us that they are thinking of ordering new vessels and of remodelling some of their present vessels with a view to provide accommodation for Indian apprentices on these vessels. I think it was in August or September last that we heard last from a representative of the firm and we have heard nothing since then, but we have told the firm that when their scheme matured we should be very glad if they would let us know particulars and anything that we could do to help them. That brings me to the third point which is of importance in connection with the proposal, namely, whether training in a nautical school, theoretical training in navigation and so forth, would be any good at all. That is a point on

which no very definite opinion has been expressed. At any rate the first batch of Indian boys to take to a sea-faring life would probably have to go to sea without training in a nautical institution and obtain their training, theoretical and practical, on the sea. There would be no hardship in that. It is quite clear from the committee's report and from our general knowledge that a theoretical course of training is in itself of no use at all. Even in England theoretical training at a training ship or nautical academy is not considered sufficient to start a lad on his sea-faring career. The qualifications prescribed by the Board of Trade as necessary for a mate's certificate—a mate being the lowest class of officer—are four years' service at sea or, in the alternative, two years on a training vessels and three years' service at sea, so that the only advantage the naval school cadets in England get from service in a training ship is that their actual training service at sea is cut short by one year. But actually the training period of a cadet extends to five years instead of four in the case of a boy who goes straight to sea. What we want to know—if the proposal to take Indian boys as apprentices matures—is whether it is likely that there would be any demand for theoretical training on the part of such boys. The situation being somewhat uncertain as I said we are proceeding on the lines indicated by Mr. Guha in his valuable note appended to the committee's proceedings. Mr. Dubash who, as a ship-owner, could have given us a very valuable opinion as to the requirements of ship's officers was unfortunately not able to take part in the proceedings of the committee and we have not been able to get any opinion from him so far. What Mr. Guha said was that the problem could not be solved by Government alone and that he was afraid it was not possible for Government to do much in the present circumstances for the younger generation of Bengal unless and until there were a sufficient number of ships owned and run by Indians. We are ready to do our best to help in every way we can the Indian firms that feel inclined to take Indian lads as apprentices and we do not see that we can do much more at present.

Another step that we are taking is to popularise the examination for certificates of competency as masters and mates of vessels not exceeding 1,000 tons. This examination was started during the war. Owing to the lack of masters of small vessels and coasting steamers during the war, there was considerable risk of the coasting trade ceasing to ply; so the examination was started during the war and we had a certain number of candidates. The examination is quite easy for anybody to pass who has served in a coasting vessel provided he is literate in English or the vernacular. A coastal vessel is quite sufficient to give a man all the sea training that is necessary for the purpose. We are trying to do our best to popularise this examination. Recently we published rules for that examination, and we asked the Port Officers at Calcutta and Chittagong to do all they could to induce serangs and people of that kind to go up for the examination and if they pass, it will give them openings for higher responsibility and higher pay. We will continue to do all we can in this

direction. But as I have said, at the present time, the need for a nautical institution is not certain. As the Council well know we are absolutely on bed-rock in the matter of finance, and I do not see how we can launch upon an expensive scheme of doubtful necessity. Expensive it will certainly be even on the estimates of Babu Annada Charan Dutta and I do not know how far these estimates are correct. So I say that it would be wrong for us to launch upon an expensive scheme of this kind before our financial situation gets straight. Babu Annada Charan Dutta on Friday supported a resolution which would have the effect of reducing the budget grants on the reserved side by a crore of rupees or more. He comes to-day with a proposal to spend a large sum of money out of our reduced grants on a scheme which can hardly be classed as urgent. I must ask the members of this House to have some regard for the difficulties of our financial situation and to consider carefully whether we should really be justified in launching upon a scheme of this nature at the present time. As I said we are taking steps to do what we can to open up the mercantile marine as a career for the Bengali lads, but we do not know whether a sufficient number of lads would be forthcoming to adopt such a career. At the present time we are unable, on financial reasons alone, to accept the proposal in the resolution.

Babu ANNADA CHARAN DUTTA: I shall try to reply to the Hon'ble Member seriatim and be short. What the resolution wants is an institution for training both the khalasis and the seamen which also seems to be the object of Government. They are trying to popularise the examination recently started for the serangs of vessels below 1,000 tons. But that is something like an annexe to the original institution proposed in the resolution. In my opinion there should not be any difficulty over the matter. We may make a modest beginning and keep the training of these two classes separate. For all practical purposes there would be no confusion between the two, and if, by subsequent natural growth, it becomes necessary to start two different nautical schools at two different places, this can easily be done, although an amalgamation of the two schools in one and the same place would be rather more economical.

The next point that has been put forward is whether really there is a demand for such a school. It is a very important point. I am sorry and surprised too that Government do not seem to be aware of the needs of the time. In Chittagong there is a small workshop in which young boys of 16 who have just matriculated and belong to good family are trying to enter with the hope of getting into some job as a mistry on a ship. If you can give them opportunities, there will be any number of young lads of 16, and I am told that boys between the age of 16 and 18 are of the right type; for this purpose graduates and people of that kind will not do. Our idea is that it is only the matriculates and such people who will really take to a sea-faring career, and it is from that quarter that the demand is coming. I have just been assured by Rai Upendra

Lal Ray Bahadur, who is a ship-owner at Chittagong, that he can give five such young lads within seven days provided you can give them openings for their future life. I can assure you also that from Chittagong I can give you more than 100 boys—matriculates of all classes and some of them graduates even—who will be very eager to go into a sea-faring life provided they are assured of a respectable position later on. This will show that there is a demand. You will be surprised to hear that people who have watched the non-co-operation movement are struck by the fact that young lads—matriculates, under-graduates and sometimes graduates—have taken to any sort of profession without thinking it derogatory. The caste distinctions are perhaps going away very rapidly, and if you give them good openings, there would be plenty of such people coming forward.

There is a further argument that if you can satisfy the Government that there is a real demand, the Government will give you opportunities. Every body knows that the Government is very slow in moving. If many people come forward and put in applications to take to sea life the Government will think over the matter, and half a dozen years may elapse before they decide to take any action, which will be too late for the demand. My idea is that where the interests of the people as a whole are concerned, at least there will be an appreciable number who will come forward to avail themselves of the opportunity for maritime education. At first there may be prejudices just as in the case of the first Hindu lad who took up the dissecting knife at the Medical College and was honoured by some sort of bomb fire or cannon fire, but it will vanish in time as is apparent from the fact that so many people rush in for admission into the Medical College at the present day. When the first constable was given a leather belt people thought that he would lose his caste, but what do we find now?

You can get any number of constables, you can get any number of men—Hindus or Muhammadans—in that line. So it is evident that if you first give them opportunities, the people will come by scores to take to that line. If they do not come forward, then, and then only, can you say that they are absolutely useless. I have already shown that it is unsound to say that the Bengalis can never be seamen in their life.

Then as to the cost, it is no doubt like the pathetic appeal of a defence Counsel in the most indefensible of cases for the accused. The position is that he being the Finance Member, everybody will try to take something from him. My personal opinion is that this maritime education can well be tried in the whole of Bengal, and Government should take steps to give us some modest opening, at a cost of, say, one lakh of rupees. If the scheme was likely to cost more, I would not have brought this proposal forward. Lakhs and lakhs of rupees are being voted year after year for things which cannot and should not be mentioned in the same breath as affording maritime education in a nautical school to the people as a whole. Therefore, I say, that poverty should not be pleaded

in regard to this particular subject at all. The real idea is that when the training vessels on their return to ports will have to be afforded a safe harbour, certainly there should be some residential quarters for the cadets also. The Hon'ble Member will find in the scheme submitted to Government some years back the object of mentioning this fact. The difficulty is whether and how we can procure sea-going vessels. Here I appreciate the difficulty of the Hon'ble Member; he practically concedes the point in my favour when he says that he is trying to induce Indian ship-owners to make some sort of arrangement. At present European firms absolutely decline to take in Indian lads as apprentices. The solution of the difficulty lies in the fact that these firms must be made to take in Indian lads.

The examination recently decided upon will not, I am sure, satisfy the aspirations of the people of whom I have talked so much. I have seen the very text book for the examination in the vernacular; it is something which will qualify a man to be a serang or something kindred to be put in charge of an inland river steamer only. It does not go further.

Therefore I hope and trust the Council will agree to accept my resolution.

The motion that the following amendment be made in the resolution was put first, *viz.*, "that in motion No. 15, for the word 'vessels' at the end, the words 'sea-going steam and other vessels' be substituted."

On the motion being put, a division was taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Afzal, Nawabzada K. M. Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmad, Maulvi Azaharuddin.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Azam, Khan Bahadur Khwaja Mahamed.
Banerjee, Rai Bahadur Abinash Chandra.
Bhattacharji, Babu Ham Chandra.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Babu Tankanath.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman.
Das, Babu Shishmadev.
De, Babu Fanindralal.
Doss, Rai Bahadur Pyari Lal.
Dutta, Babu Annada Charan.
Chose, Rai Bahadur Jogendra Chunder.
Haq, Shah Syed Emdadul.
Karim, Maulvi Abdul.
Karim, Maulvi Fazlal.
Khan, Maulvi Md. Rafiqua Uddin.
Khan, Mr. Razaur Rahman.
Khan Chaudhuri, Khan Bahadur Maulvi Muhammad Ershad Ali.
Mitra, Rai Bahadur Mahendra Chandra.
Mukharji, Babu Satish Chandra.
Mukherjee, Babu Nitya Dhone.
Mukhopadhaya, Babu Sarat Chandra.
Nakey, Mirza Muhammad Ali.
Nasker, Babu Ham Chandra.
Pal, Rai Bahadur Radha Charan.
Raikat, Mr. Prasanna Deb.
Ray, Kumar Shib Shekhareswar.
Ray, Rai Bahadur Upendra Lal.
Ray Chaudhuri, Mr. Krishna Chandra.
Roy, Mr. Bijoy Prosad Singh.
Ray, Raja Manilell Singh.
Ray Chaudhuri, Babu Sailaja Nath.
Salam, Khan Bahadur Abdus.
Sarkar, Babu Rishindra Nath.
Sinha, Babu Surendra Narayan.
Suhrawardy, Dr. A.

NOES.

Banerjea, the Hon'ble Sir Surendra Nath.
Beadel, Mr. C. P.
Bias, Mr. E. E.
Bompas, Mr. C. H.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.

Dey, Mr. C. C.
Duval, Mr. H. P.
French, Mr. F. C.
Ferrester, Mr. J. Campbell.
Coods, Mr. S. W.
Gordon, Mr. A. D.
Hopkyns, Mr. W. S.
Kerr, the Hon'ble Mr. J. H.
Lang, Mr. J.
Larmour, Mr. F. A.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Marr, Mr. A.
Mitter, the Hon'ble Mr. P. C.
Pahlowan, Maulvi Md. Abdul Jubbar.
Payne, Mr. C. F.
Rae, Mr. W. R.
Rahim, the Hon'ble Sir Abd-ur.
Robinson, Major-General, W. H. B.
Stephenson, Mr. H. L.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wheeler, the Hon'ble Sir Henry.
Williams, Mr. C. Addams.
Wordsworth, Mr. W. C.

The Ayes being 42 and the Noes 29, the motion was agreed to.

The amended resolution in the following form was then put and agreed to:—

"This Council recommends to the Government that early steps be taken by Government to start a nautical institution for Bengal at Chittagong or in any other suitable place in Bengal for the training of seamen and officers for sea-going steam and other vessels."

Distress in Khulna.

Babu NALINI NATH ROY: "This Council recommends to the Government that they may be pleased to subscribe a sum of money not below one lakh of rupees to supplement the efforts of voluntary organisations now working for the relief of the distressed people of Khulna and that a supplementary estimate be presented as soon as possible for the vote of this Council."

Only about four months ago there was a discussion in this Council on the scarcity prevailing in Khulna, and a resolution was passed recommending that "Government be pleased to take necessary steps to supplement the efforts of local relief committees with a view to mitigate the distress caused by the prevailing scarcity in Khulna." I am sorry, so soon after the previous debate, to stand up and again bring this matter before the Council. But I can not help it.

My resolution is not the same as that passed on the 12th July last. The difference is this—the previous one was not definite, as regards the amount to be spent; while my resolution is definite on this point.

That there was acute distress in the affected area is admitted by all parties. What makes me take up the time of the Council for the second time, is the fact that not only there was acute distress but there is acute distress and the prospects is still gloomy.

This severe scarcity has not been caused by the failure of the crop of one year but of three or four years in succession. The people of this area have sold their all, including household utensils, Hindus in this part of the country—as almost every where else—do not use the same earthen vessel in which they have partaken of boiled rice, twice over. Once they have used it in this way,

it becomes unclean and cannot be cleaned by washing. *But it is a well-know fact that, in the absence of metal vessels, the people of this affected area are doing this, although it is against the custom.*

This is the state of things as regards goods and chattel. As to the housing problem, most of the huts have tumbled down for want of means to repair them; and the few that are still standing, are without walls and thatch.

As to clothing required for ordinary decency, the scarcity is of a grievous character.

Warm clothing has vanished altogether and winter is coming. What the condition of the people will be, can be very well imagined.

The spring of charity that has so long kept the people alive and mitigated suffering, has almost dried up. The voluntary organisations for relief are without funds; and the Khulna Famine Relief Committee is closing down finally on the 30th of November

The bright side of the picture is afforded by the fact that a six-anna crop has been grown in parts of the affected area. But the men of the zamindars and mahajans are already on the spot and will take away the larger share of it, if not all of it; for they have not been paid their dues for years.

I would mention the fact that in some cases the weekly dole of rice given to these people has been attached for their dues and taken away. The present condition of the people, with the partial crop in prospect is a little better, but my purpose in pressing this resolution, at a time when the distress is not acute, is this If we build up much hope on the crop in prospect we are likely to meet with a sad disappointment. Even if the whole of this crop goes into the pocket of the raiyats, that will not be enough to solve the problem for any length of time, because the six-anna crop, in the present state of the people, is a mere drop in the ocean. Besides, eery one of the affected areas has not got the six-anna crop. It is a six-anna crop grown on a prehaps 25 per cent. of the area. I asked for, but the exact figure is not in my hand So I ask the question how will the present crop relieve those on whose land the crop has not grown? And what is of more importance, as charity is no longer coming in abundance, the voluntary organisations are compelled to shut up for want of funds. The distress of the people will not grow less in future but will assume alarming proportions inspite of whatever crop they may have grown. If voluntary relief is stopped for one month the result will be acute distress.

So the members of the Council can very well imagine to what extent the people will be benefited by the present crop.

To complete the picture, settlement operation is going on. Whatever the beauty of this operation may be, it does not conduce to the relief of distress at all. I have been told by the gentlemen of the locality that the Hon'ble Member in charge of this department, when visiting this area,

gave them to understand that Government will watch things till the next crop and then take necessary steps. I will now place before the Council the amounts that have been spent for relief by Government and the voluntary organisation. Government have spent the sum of Rs. 13,022 on gratuitous relief and Rs. 47,908 on agricultural loans. The voluntary organisations have spent more than Rs. 1,36,000 on gratuitous relief only.

As charity is almost at an end I now call upon Government to take proper steps to see that not only death through actual starvation is averted but something more is done for suffering humanity; that death through dysentery and other digestive disorders, brought on by devouring unsuitable stuff to satisfy the gnawing of hunger, is averted; that the one indispensable food for the raiyats of Bengal, *rice*, is distributed liberally; as well as the people supplied clothes to wear and to cover themselves against the rigours of winter.

It should be remembered that though people may not be dying through actual starvation, very often they may be dying in shoals through diseases brought about by the conditions I have described.

I have been an eye-witness to this suffering and I call upon the members of this Council and all concerned to meet the situation with liberality and promptitude, otherwise we, including this Council, may be failing in our duty before God and man.

Before I close I should say that I do not suggest that a sum not less than a lakh of rupees should be handed over at once, but it may be given by monthly instalments according to the necessity of the season distributed over a period of one year. Nor do I suggest that this lakh of rupees should be spent on giving charitable doles, but a portion of it may be spent in wages for the able-bodied men on works of permanent utility. The Khulna Famine Relief Committee, as I was given to understand, will be pleased to accept some money. We can give them something. But the first claim is of course of those who are helpless and unable to work, the number of such people is legion.

With these words, Sir, I move my resolution.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The object of the mover of this resolution is no doubt very laudable, and of course when he says that he has been an eye-witness to some of the sufferings, I do not wish to challenge it, because nobody wishes to challenge the fact that there has been scracity in parts of Khulna, but what I wish to lay before the members of this House is what the real facts are at the present juncture, and whether in view of those facts, the Government would be justified in spending a lakh of rupees in gratuitous relief. I take it that the mover himself does not suggest that the Government should declare the area concerned under the Famine Code, which would undoubtly be the proper step for Government to take if they considered that there was famine in the portion

of Khulna under discussion. Well, we have heard that the famine relief fund is coming to an end because the flow of public charity has ceased. I venture to say that this is not the true fact of the case. I have, after visiting the area, been constantly in touch with the Commissioner of the division, and my department has had constant communication from the Collector. Writing on the 7th November last, Mr. Fawcus said—

It is worth noting that the organisers of Sir P. C. Roy's fund have informed me that in view of the improved conditions caused by harvesting of early paddy and earth works for roads and embankments now available, the committee propose to close the majority of their relief works by the 30th November. I have inspected the areas and consider they are justified.

Writing again on the 12th November to the Commissioner, the Collector wrote as follows—

In reply to your telegram just received, I have just visited all the affected areas and I found the conditions so much improved that I am closing down the Syedpur estate relief at once and propose to close down other centres by the 30th November. I am sure that there is no justification for declaring the area under the Famine Code as the price of new rice has come down to 6 pice a seer in many places in the affected area and is expected to come down to 4 pice a seer. It is a long time since the price has been so low. There may be a few isolated areas where conditions are still the same as before but we may take it that even in Pratapnagar, a place I visited, there is no longer any famine, and the situation can be adequately dealt with from the district relief fund for the present.

These two extracts go to show that the relief funds started by Sir P. C. Roy and by the Ram Krishna Mission and others have now been closed down, and are not being closed down simply for the fact which has been mentioned by the mover of this resolution. He may be more in the confidence of these gentlemen, and it may be true that their funds are low, but whether their funds are low or not, what we have to consider is whether the funds necessary to maintain and keep up the amount of relief at present required are adequate. From the Magistrate's report it is amply clear that this is so. From that point of view it seems to me to be unnecessary to spend money on gratuitous relief when the conditions have so far improved as to necessitate the closing down of these funds, and the organisers themselves think that the conditions have improved. Sir P. C. Roy also wrote to me the other day on the subject. Well, of course he has mentioned other matters which have no connection with the present discussion. He says—

I am directed by my committee to state for your information . . . that my committee have decided to stop relief operations with effect from the 30th November next after distributing doles of rice to helpless women and orphans for the first two weeks of December . . .

The next point is this: that the mover of the resolution has asked the members of this Council to vote a lakh of rupees for further relief. I may tell him that if in the places where even this year crops have not grown, if in those places during the present year, conditions really become acute again, there is no need to be alarmed, for this reason, that in the

budget we have adequate funds for famine relief, and as in the budget that amount is not ear-marked for any particular area, it might be made available for Khulna or any other place during the current year.

Kumar SHIB SHEKHARESWAR RAY: How much money may I ask have you got in the budget?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I am coming to that, Kumar Sahib. In the budget we have under famine relief and insurance a sum of Rs. 50,000 for famine relief, including gratuitous relief, and a sum of Rs. 1,50,000 for transfer to famine insurance fund which can be made available if circumstances demand. Out of this fund for gratuitous relief, we have still got Rs. 25 to Rs. 30,000. We have spent about Rs. 15,000 so far, and we can spend up to Rs. 1,50,000. Therefore, it seems to me quite unnecessary to ask the Council to budget one lakh of rupees especially for the Khulna famine; for in the first place, there is no famine there at the present moment, secondly, if money was required we have got more than the lakh of rupees that the mover wants. For these reasons it seems to me quite unnecessary to vote for the amount over and above the Rs. 1,50,000 we have in the budget for this purpose.

Then, again, there is only one question that remains to be answered, *viz.*, the condition of the people generally. As I said in the *communiqué* which was issued after my visit, there is no doubt that where the real scarcity lay was in the insufficiency of wearing apparel for the people of the locality. Even that has been met, and at the present moment we have had no further complaints; if there are, I am sure the organisation still kept open will have no difficulty in dealing with them.

The Collector's view that the situation has improved has been confirmed by a report of a gentleman of the Salvation Army who came to see me and gave valuable information which was published in the *Statesman* of the 6th November. He noted that there was a marked improvement in the physical condition of the people he visited. He inspected about 4,000 men, women and children and only about five could be said to be in a poor condition. Of these three proved to be suffering from malaria, one baby with chest trouble, and a case of neglect by a half-witted mother. As regards Government's contribution, I need not go into the question, as I believe the mover of the resolution has practically mentioned the figures. All I need point out is that there is no need to take an alarmist's view of the position. I may have to say something when the next two resolutions come up regarding the settlement operations in these areas. I do not propose to answer him because there is sufficient time for me to do so when the next resolution comes up. It will suffice for the present to say that if in any of the areas crop is not grown this year, and the conditions become serious, there are sufficient funds in the budget, as it has been passed by this Council in April last to go on with such relief

measures as may be necessary. For these reasons, I would not recommend the acceptance of this resolution as there is no need to provide for this amount of money in the budget, as we find that in the budget we have more money than is demanded by the mover.

Babu NALINI NATH ROY: I have heard what the Hon'ble Member has had to say. It is not likely that I should know what amount has been budgeted, but I know that the distress is there and will be acute. I will read the letter, the first portion of which the Hon'ble Member has mentioned, and will show to the Council that there is distress at present, and there will be distress later on. That letter which he has read to the Council is from Sir P. C. Roy, to the Hon'ble the Maharajadhiraja Bahadur of Burdwan. Sir P. C. Roy says—

In this connection I may remind you that at a round-table conference in the bungalow of the District Magistrate of Khulna, we were given to understand that Government would keenly watch the position.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: May I rise to a point of order and say that Government are watching the situation and there is no need to read that portion of the letter? I have read out the portion of it that concerns this resolution.

Babu NALINI NATH ROY: I want to show from the letter that it states that there is distress. I do not know what money has been budgeted for its relief and I am quite justified in bringing this matter before the Council.

The motion was put and declared lost.

The mover asked for a division, but the Deputy-President ruled that he was too late, as the decision of the House had been announced.

The DEPUTY-PRESIDENT: In regard to the next motion Rai Harendranath Chaudhuri saw me and asked permission that Babu Sailaja Nath Roy Chaudhuri may be allowed to move it for him. I granted him this permission.

Survey and Settlement operations in Khulna.

Babu SAILAJA NATH ROY CHAUDHURI: "This Council recommends to the Government that the Survey and Settlement operations in the district of Khulna be stopped for the present."

The apprehension of a distress in Khulna was brought to the notice of the Council and the Government in March last, during the discussion on the budget; but, unfortunately, it failed to attract such attention as it ought to have. I need not take your time in discussing here all that happened since and is still happening as it has been fully discussed in connection with the motion of my friend, Babu Nalini Nath Roy. I

want to make here a few observations regarding the Survey and Settlement operations and submit how it is desirable to suspend them for the time being.

During the voting of grants motions were brought forward by various members to suspend or at any rate to curtail the grant of Survey and Settlement operations in Bengal and at least one member prayed for the suspension of these operations in Khulna considering the fact that Khulna could not yet recover itself from the disastrous effect of the cyclone of 1919. The Hon'ble Member in charge, as usual, very eloquently pleaded how the reductions, as demanded, were unthinkable and tried to explain away all the objections raised, point by point, but curiously remained silent as far as the distressed conditions of Khulna were concerned. This only went to show that either he had no sensible objections to make or the facts were so misrepresented as could be safely ignored. As far as I know the facts quoted by the learned mover were taken from the Government reports and, therefore, they could not be contradicted. Thus there was only one conclusion which the Government was loath to admit. Certain observations were also made which require a careful scrutiny and I want to meet him on the very questions raised by him in support of these operations. Perhaps he too, believed, with a few other members of the Council whose hearts were found to overflow with sympathy for the voiceless millions, that these motions were brought by the much maligned zamindars and their friends in this Council.

The primary objection, it appeared, which the Hon'ble Maharajadhiraja Bahadur had against the suspension of these operations in districts where the traverse survey was completed, as in Khulna, was that the Government would have to spend the sum over and again for making boundary lines and building pillars—thus it was thought not desirable to thrust an extra burden on a district or districts concerned. Frankly speaking, I fail to follow it. Is it to be understood that the pillars which have been built, the boundary lines which may have been marked are made of sand to disappear as soon as they are made? The rules lay down for a register of these pillars and marks and thus charge given to the chowkidars. Are we to understand the map or the books that may have been prepared are also lost? It will be interesting to see how the Hon'ble Member consistently reconciles his policy with his subsequent action specially in reference to the suspension of these works in Murshidabad. The people have a right to know why and how these operations were suspended in Murshidabad and so vigourously taken up in Khulna—and further why of all places in the district the affected area taken first?

Do the Government think that the people of this area are better off than their brethren of Murshidabad? Are we to understand that the Government do not believe that there is any distress there? Or is it because the people of Khulna have been denouncing it since its very inception? What about the officers engaged in Murshidabad? Have

they been thrown out of employment or their services utilised elsewhere? Sir, I submit, these are questions which oppress the people and the seeming indifference of the Government to their grievances, the cold, calculating and callous replies to their queries exasperate their feeling. It is no wonder that there prevails as widespread a discontent as you can possibly imagine even among the masses. Why blame the non-co-operators? You yourself drive the people to non-co-operate. People at least expect you to be consistent, but I forget consistency may be a virtue but inconsistency is no crime. The people wanted relief and you have been giving it with vengeance. Surely it is another proof, if any proof is needed at all, that the Hon'ble Member has been doing all that could be possibly done to mitigate their suffering.

Next, Sir, we were told that no appreciable reduction was possible under these grants. It appears from His Excellency's speech on the opening of the session of the Council, that it has now been found possible to a certain extent. Are we to understand that this has been made possible at the cost of efficiency? Is it why the Kanungoes are empowered with revenue powers to conduct these proceedings? I would only say the settlement operations as are now being carried on in Khulna is a mere farce and the oppression and the *zulum* of the underlings—the less said of their notoriety the better—will be greater than before. The Hon'ble Member himself observed, I am quoting his own words, that "if the record-of-rights is to be prepared at all, it is best to have an accurate one because a bad and inaccurate record is worse than no record at all." I put it to the Hon'ble Member if the present arrangements will help him to have the records prepared as indicated by him. My submission is—it is far from so.

Much has been made of a remark made by a certain member that the long delayed pledge to the voiceless millions can not be deferred. These measures, it is said, will confer untold blessings on the raiyats and their landlords in the peaceful enjoyment of their rights. Every one knows how costly and troublesome litigations follow the settlement proceedings. Well, nobody wants to lose what he has got. Contests are inevitable between the landlords and their tenants. How can you expect the raiyats to fight with their zamindars when they have to depend on others' charity for their livelihood. Certainly, it is not the time to thrust upon the people a measure however beneficial its effects may be. As to the unfulfilled pledge—it appears as if this is the only pledge remaining to be fulfilled. Please do not talk of pledges—we have had enough.

I cannot but refer to another stock argument that the people have got to pay nothing for costs just at present and, as such, how could there be any objection? I like to be enlightened if they have to supply all the necessities from fuel to food to the settlement officers under penalty, and if any payment is made for the supplies. How would you expect from a people—distressed as they are by want of food—denuded as they are by want of clothes—to take advantage of the settlement

proceedings, to co-operate with and take directions from the settlement officers at every step as contemplated by the settlement proceedings—specially when their services are more urgently required for the harvest?

It is maintained by some that these operations will help the affected people to earn a living. To them I would say they have no knowledge of the things as they stand and I pity their ignorance.

If you are really anxious for the welfare of the raiyats, why do you not show that zeal and earnestness which you have been showing to push on these operations for protective works? I submit and I believe the Hon'ble Member himself will bear me out that protective works in this part of the district are essential not only for a good harvest but also for human habitation. It is known to the Government that almost all the protective works and dams were destroyed or seriously damaged by the cyclone of 1919 and the root cause of the distress lies in it. I remember the Hon'ble Mr. Kerr once pointed out to me and the Hon'ble Member has just also made a reference to it that there was a fund called famine insurance fund and its object was either for actual relief of famine or for protective irrigation works or similiar works. I want to know if the Government had to spend any sum out of it for the distressed people of Khulna either for actual relief or for any protective works as contemplated by the fund. Sir, a large number of people have left their homes for a shelter elsewhere and the lands lie flat and barren. First make the lands fit for human habitation and then think of settlement. It will not be too much to say that these tracts will be depopulated at no distant date if the present state of things are further allowed to continue. Ask any one you like in these places and record what he says.

I would ask the Hon'ble Member to compare the condition of Khulna of 1897 with the present. The distress of 1897, when the people, as the Government report says, were found unwilling to come to relief, was treated as a famine. What do we find now? Instances are not rare of hundreds of people: men, women and children—old, infirm and sick—huddled together in small clusters coming from a distance of 40 miles or more to receive a handful of rice for relief I challenge contradiction. It passes my comprehension how you can still treat this so lightly.

I therefore pray for a suspension of settlement operations as a relief measure and I believe the settlement operations cannot be carried on and a correct record-of-rights prepared under the existing conditions. In the name of the suffering humanity, I appeal to your hearts and commend the resolution to the acceptance of the House.

At this stage the Council was adjourned for 15 minutes.

After the adjournment.

Maulvi A. K. FAZL-UL HAQ: I have given notice of a similar resolution, but instead of moving it by way of a separate motion, I wish to say a few words in support of the resolution now before the House. The [illegible] the Khulna district is now a matter of common

knowledge. I have received several letters from various parts of the district in which influential gentlemen well acquainted with local conditions have urged upon me to bring forward this resolution in deference to the wishes of a large section of the district. We all know that when settlement operations begin in any district, some minor survey operations have got to be carried on and the visits of *amins* and others, who carry on these operations, are in many instances rather unwelcome to the people of the locality which they visit. When there is a scarcity prevailing in any part of the country, the people are in no mood to attend the operations, however important they may be, and for various reasons it is just and proper that the feelings of the people should be respected in this matter. I understand that minor survey operations have been carried out in other districts and it is just possible to leave Khulna alone for the present till better conditions prevail, and to carry on settlement operations in other districts where survey operations have been completed. I would join my friend, who has moved this resolution, in the appeal to the Hon'ble Member in charge to see his way to afford the people some relief by suspending settlement operation for at least a short period till better conditions prevail in that district.

Babu AMULYA DHONE ADDY: I am sorry that I have to oppose the resolution which has been moved on the suspension of Survey and Settlement operations in the district of Khulna. This question was raised when the budget was under discussion. Several amendments were moved for the reduction of the budget grant for the Survey and Settlement operations in the district of Khulna and the other districts and there was a hot discussion on that subject, but notwithstanding the strong support of some of the members of this Council, all the amendments were lost. Since then, Government has appointed a number of officers and *amins* for the survey of the districts of Jessore and Khulna and I may be allowed to say that the zamindars interested have also appointed a number of their officers for this work. It would be too late to suspend the survey and settlement work in the district of Khulna. If we do that, the Government as well as the zamindars will be placed in a false position. The Government may transfer these officers to some other districts, but what about the officers appointed by the zamindars? Are their services to be dispensed with? Then what is the object of this survey settlement? I understand it is to protect the legal rights of the raiyats and, by this operation, a number of disputes will be avoided. I know as a matter of fact there are several disputes between landlords and tenants in connection with boundaries, in connection with the increase of rents and in connection with the rights of the tenants. Some of the raiyats have alleged that they have got permanent leases but the zamindars say that the raiyats are merely tenants-at-will. It is the best opportunity to settle those disputes between landlords and tenants. It has been stated that this is not the proper time to take up survey and settlement work, because of the famine

raging in the district of Khulna. But, Sir, I may be allowed to state that the cost is realised not before this work is taken in hand nor during the progress of this work but after the final publication of the record-of-rights, and therefore, at least during the next 12 months, there is no possibility of the realisation of this cost from the tenants. Then what is the cost as it appears from the budget discussion on this question? It is not more than one rupee per acre. I do not think it would be too costly to take up this work having regard to the advantages of survey and settlement work, but I would take this opportunity of requesting Government to reduce the charge so far as it would be practicable. It has been stated that it will be a source of great hardship on the raiyats, but it appears to me that 75 per cent. of the total cost is realised from the zamindars and not from the raiyats. It has also been stated that there is a famine but it appears from the report of the Government that at present there is no famine. I admit that in the Asasuni thana there is scarcity still. I, therefore, suggest that the settlement work in that thana may be adjourned for the time being. But that is no reason why the survey and settlement work in the whole district of Khulna should be suspended. It appears from the *Calcutta Gazette* that the price of rice has materially come down in Khulna where it is being sold at 8 seers per rupee. But as a rice-trader I may be allowed to say that rice is selling at 10 seers per rupee in the interior of the Khulna district. It appears from the official report, and I know it is a fact, that the *bhadoi* crop is very good. I therefore submit that my friend is labouring under a misapprehension. This resolution appears to be a vague one. It has been suggested to postpone the settlement operations for the present. For what period and how long the officers are to be kept in abeyance without any pay, I fail to understand.

With these remarks, I strongly oppose this resolution.

Babu NALINI NATH ROY: I would not like to add much. I only say this much that the people of Khulna have already got enough of adverse factors to attend to, and I do not know why Government should add another in the shape of settlement operations at a time when the people are in a bad plight.

Rai MAHENDRA CHANDRA MITRA Bahadur: The settlement operations in certain districts are sometimes ruinous—ruinous not only to the Government but also to the raiyats. I know this from experience and I say confidently that the settlement operations should be taken up in prosperous times. The reasons suggested by the mover is this, that in Khulna the people have been suffering from the acute distress. We have got information just now from the Hon'ble the Maharajadhiraja Bahadur of Burdwan that the state of affairs is now clearing up and that there has been some improvement in that quarter. Well, Sir, under these circumstances my view is that the settlement operations may be

suspended for some time. The resolution lays down that Khulna district is to be relieved from the operations of the settlement proceedings. I do not go so far. I say that Government would be pleased to take such precautions that the settlement proceedings may not affect the portions where the people are suffering. These are the points which I submit to the Council. Government may be pleased to take such precautions as will ensure stoppage of survey in that quarter where the people are affected by the distress.

With these observations, I resume my seat.

Babu SURENDRA NATH MALLIK: I beg to support this motion, and in doing so I do not think that anything need be added to what has been said by the mover and Maulvi Fazl-ul Haq. But I think I must try to remove some misconception that is in the mind of my friend, Babu Amulya Dhone Addy, as he opposes this resolution. What the resolution asks for is that the Survey and Settlement operations be stopped for the present. It does not want that it should be stopped in all the districts. The whole of my friend's argument is based on the fact that there was a discussion on the matter at the time of the budget, but such a question does not arise. The question is whether, in this particular district, the operations should be continued for the present, owing to the specific reason, namely, that a famine prevails there. Therefore, I think that there is not much of sense in the first argument. Then, comes the second question that there is no famine. Why?—because the Government has told us so. I say there is a famine because the people have said so. ("Hear," "hear.") He may be one of those men who think that the highest credit should be given to the Government reports and when the people of the country from Sir P. C. Roy downwards—a band of selfless workers—have said that there is still famine, their evidence is nothing. There are Subdivisional Officers, the District Magistrate and on the top of them the Divisional Commissioner; and my friend, Mr. Amulya Dhone Addy, is one of those men who think that when these officers choose to write that there is no famine, it must be taken as absolute truth. I am not one of those men who would not trust my own countrymen.

Government says that there is no famine and Babu Amulya Dhone Addy thinks that there is no famine. Pray why did some of the highest officials of Government subscribe handsomely, if there is no famine? Only a month and a half ago Rs. 1,000 was subscribed by a high Government official. Why did he send that? Just about a month and a half ago, why did some of the Hon'ble Members send down clothes, money and all that? One of them is sitting in close proximity to Babu Amulya Dhone Addy and he might put that question in a whisper. If there was no famine, why was that done? It is idle to say that because Government say there is no famine, there is no famine. We have been asked to offer subscriptions to the best of our ability. When people are

working under the leadership of Sir P. C. Roy, *who is a good worker, never given to ostentation, political discussion or anything of the kind and who is doing solid good work there, are we to brush this aside? Babu Amulya Dhone Addy says that since Government says there is no famine, there must be no famine—that is a preposterous idea.* Of course, I do not know what he would call a famine. I do not know if the rise in prices means a famine to him or just a profit to him. I am not in the trade, so I do not know, but this I know that my countrymen there are suffering a great deal; that there is tremendous trouble over there and that people are so very badly suffering, that they have very little food to eat and no clothes to wear. Even women cannot come out of their homes for want of clothes. Because all these facts are not mentioned in a Government note, are we to disbelieve what appeared in the papers? I am not going to do that. I do not think that I need say more than this. Under the circumstances, it is only proper that these settlement operations should not be continued at least for some time till better days prevail. My friend says that there is no famine in Khulna. Supposing I had typhoid and the doctor says that there is no fever now, is this the time when I should be troubled with summons, etc? There was famine a month ago. Because the famine stopped yesterday, is it a reason why these settlement operations should go on? There is no sense in it. It is always better to take a sensible view of these things. There was a famine, everybody knows including the Government. Princely donations were paid by Government officers. We have heard of it and read of it. The whole country has paid subscriptions. Men from Bombay and men from distant Madras also subscribed. But my friend does not believe all that. He says that there is no famine. Since the famine has stopped, the settlement operations must go on, as if the only remedy for the famine is settlement operations, that is to say, settlement operations are to be the quinine of famine. As soon as the fever is gone, as soon as the famine is gone, the quinine of settlement operations must be given. This is absurd.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: So far, the debate on the resolution of Rai Harendranath Chaudhuri moved by Babu Sailaja Nath Roy Chaudhuri has been healthy in this sense that the discussion has centred round the question of the distress that has been prevailing and still to certain extent prevails in parts of the Khulna district. Now, from that point of view, I must say that I have welcomed the discussion for it makes it easier to reply than if an attack had been made with regard to settlement operations in general. The main objections raised by most of the previous speakers, especially those who are conversant with the conditions in portions of the Khulna district, that as in places in the Khulna district where there has been this distress people have already

undergone much suffering, that further suffering in the way of settlement operations now started there may not be inflicted upon them. On that point my answer is this that Government are well aware of the conditions in those parts of the district of Khulna and in view of that fact I have already passed orders that in areas where there had been distress, the cadastral survey that is now going on in the Khulna district is not to take place until the harvest has been gathered in and there are no crops on the field. I consider that to be a sufficient remedy for the present for this reason that if we had arrived at a stage in the Khulna settlement operations that we were likely to begin recovery certainly the conditions of the tenantry would be far worse than if we had decided to carry on the cadastral survey in areas where there had been distress; but the recoveries are not likely to begin till the year 1924-25, and therefore, we may safely say that by that time, Providence being kind, conditions in Khulna may so improve that it would not be such a hardship as it would be the case if the recoveries had to be pressed at the present moment.

Now, so far as the area in which there has been distress is concerned, I have already mentioned that orders have issued that there are to be no cadastral surveys until the harvest has been gathered in and the fields are bare, for it is a well-known fact that in the Settlement Department we try to finish our programme within a specified time, and have to start this cadastral survey when paddy is still on the land which does cause a certain amount of irritation to the tenants, although when there is a bumper crop there is sometimes an aggravated or rather exaggerated idea of this irritation. We admit that in the affected parts of Khulna, it would be more judicious and more humane to postpone the cadastral survey until the harvest has been gathered and the fields are bare and little harm can be done to any crops there. That being so, I say that we have met fair and square the argument that we should not harass the people in the localities where there has been distress.

As regards the accusation made by the mover of this resolution (it is difficult for me to say whether he was really expressing his own views or those of the gentleman on whose behalf he was moving this resolution) that as we had decided to go back to a two-party programme why Khulna had been included, I will meet the points by mentioning what are the two reasons for which Government even when deciding to reduce the settlement operation to a two-party basis included Khulna. It is perfectly obvious that it was not included to harass the people nor is it true to say that Government knowing full well that in parts of Khulna there is a chronic state of failure, or chronic state of scarcity of crops the Government are still pressing the settlement operations. Government are fully aware of the state of affairs but the reason why Government decided to push on with the work is to avoid a considerable dislocation or disorganisation. Apart from that fact

working under the leadership of Sir P. C. Roy, who is a good worker, never given to ostentation, political discussion or anything of the kind and who is doing solid good work there, are we to brush this aside? Babu Amulya Dhone Addy says that since Government says there is no famine, there must be no famine—that is a preposterous idea. Of course, I do not know what he would call a famine. I do not know if the rise in prices means a famine to him or just a profit to him. I am not in the trade, so I do not know, but this I know that my countrymen there are suffering a great deal; that there is tremendous trouble over there and that people are so very badly suffering, that they have very little food to eat and no clothes to wear. Even women cannot come out of their homes for want of clothes. Because all these facts are not mentioned in a Government note, are we to disbelieve what appeared in the papers? I am not going to do that. I do not think that I need say more than this. Under the circumstances, it is only proper that these settlement operations should not be continued at least for some time till better days prevail. My friend says that there is no famine in Khulna. Supposing I had typhoid and the doctor says that there is no fever now, is this the time when I should be troubled with summons, etc? There was famine a month ago. Because the famine stopped yesterday, is it a reason why these settlement operations should go on? There is no sense in it. It is always better to take a sensible view of these things. There was a famine, everybody knows including the Government. Princely donations were paid by Government officers. We have heard of it and read of it. The whole country has paid subscriptions. Men from Bombay and men from distant Madras also subscribed. But my friend does not believe all that. He says that there is no famine. Since the famine has stopped, the settlement operations must go on, as if the only remedy for the famine is settlement operations, that is to say, settlement operations are to be the quinine of famine. As soon as the fever is gone, as soon as the famine is gone, the quinine of settlement operations must be given. This is absurd.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: So far, the debate on the resolution of Rai Harendranath Chaudhuri moved by Babu Sailaja Nath Roy Chaudhuri has been healthy in this sense that the discussion has centred round the question of the distress that has been prevailing and still to certain extent prevails in parts of the Khulna district. Now, from that point of view, I must say that I have welcomed the discussion for it makes it easier to reply than if an attack had been made with regard to settlement operations in general. The main objections raised by most of the previous speakers, especially those who are conversant with the conditions in portions of the Khulna district, that as in places in the Khulna district where there has been this distress people have already

undergone much suffering, that further suffering in the way of settlement operations now started there may not be inflicted upon them. On that point my answer is this that Government are well aware of the conditions in those parts of the district of Khulna and in view of that fact I have already passed orders that in areas where there had been distress, the cadastral survey that is now going on in the Khulna district is not to take place until the harvest has been gathered in and there are no crops on the field. I consider that to be a sufficient remedy for the present for this reason that if we had arrived at a stage in the Khulna settlement operations that we were likely to begin recovery certainly the conditions of the tenantry would be far worse than if we had decided to carry on the cadastral survey in areas where there had been distress; but the recoveries are not likely to begin till the year 1924-25, and therefore, we may safely say that by that time, Providence being kind, conditions in Khulna may so improve that it would not be such a hardship as it would be the case if the recoveries had to be pressed at the present moment.

Now, so far as the area in which there has been distress is concerned, I have already mentioned that orders have issued that there are to be no cadastral surveys until the harvest has been gathered in and the fields are bare, for it is a well-known fact that in the Settlement Department we try to finish our programme within a specified time, and have to start this cadastral survey when paddy is still on the land which does cause a certain amount of irritation to the tenants, although when there is a bumper crop there is sometimes an aggravated or rather exaggerated idea of this irritation. We admit that in the affected parts of Khulna, it would be more judicious and more humane to postpone the cadastral survey until the harvest has been gathered and the fields are bare and little harm can be done to any crops there. That being so, I say that we have met fair and square the argument that we should not harass the people in the localities where there has been distress.

As regards the accusation made by the mover of this resolution (it is difficult for me to say whether he was really expressing his own views or those of the gentleman on whose behalf he was moving this resolution) that as we had decided to go back to a two-party programme why Khulna had been included, I will meet the points by mentioning what are the two reasons for which Government even when deciding to reduce the settlement operation to a two-party basis included Khulna. It is perfectly obvious that it was not included to harass the people nor is it true to say that Government knowing full well that in parts of Khulna there is a chronic state of failure, or chronic state of scarcity of crops the Government are still pressing the settlement operations. Government are fully aware of the state of affairs but the reason why Government decided to push on with the work is to avoid a considerable dislocation or disorganisation. Apart from that fact

the two reasons why Government decided to push on the operations were as follows: the Government thought that, in the first place, so far as Government estates in the Khulna district were concerned and so far as my information goes, as there had been no famine or scarcity of any kind, there would be a definite increase in revenue. The second reason why Government decided to carry on was this that when we have a large staff to go into the question of settlement operations, it is a good opportunity of having a general survey of the embankments in that district, for we know that owing to certain defects in a good number of these embankments (some of them small ones) saline water gets in and very often we find that that is the reason for a chronic state of failure of crops in certain areas in the Khulna district each year. What we want to get at is (we have already started that work in the Irrigation Department, namely, of placing a special officer under the Settlement Officer at Khulna) to make a general survey and to report to Government as to the condition of these embankments. This information will be collected, during the settlement operations and, when we have that before us, we hope to be in a position to consider some practical steps to remove at any rate one of the causes of the failure of crops, *viz.*, inundation by salt water. The question remains to be seen as to what the Irrigation Department recommends. It is possible that we may have to make use, when we get the information, of the Bengal Agricultural and Sanitary Improvement Act, 1920, in order to restore and construct embankments and sluice-gates. Instructions have been given to settlement kanungoes to inquire and report in which villages the crops have been lost owing to the failure to maintain embankments and in which villages they consider the question of new embankments requires investigation. Then again, the survey maps will be of help to us as they will show the existing channels and embankments, and all information that we require for dealing with the protection of cultivated lands from inundation will thus be collected. It is for these two reasons mainly that we decided, even when we curtailed our programme owing to the general financial position of the province, to a two-party basis to go ahead with the Khulna operations. As I say, the reasons why we want to proceed with the operations at Khulna are in the first place that in the Government estates, where fortunately the conditions of crops are good, there will be an increase in revenue, and secondly, in places where we know that owing to inundations and to a chronic state of partial failure of crops it would be possible for us to collect very valuable materials on which we could take action regarding embankments or sluice-gates as may be found necessary. It is with these two objects alone that we have proceeded with the Khulna operations.

I may say in this connection that when I consulted my Standing Committee so far back in July last, they were of the same opinion and before this resolution came on I consulted my Standing Committee

again on the subject and they agreed with me and also approved of the action of Government, namely, to stop the cadastral survey in areas where there had been distress until the crops had been gathered.

I think I have said sufficiently to convince the Council that we proposed to proceed with the Khulna operations with the best of motives, and for protecting those who have suffered much, luckily in small areas, and that we propose to delay the cadastral survey until the harvest has been gathered in those places. I think, therefore, that under all these circumstances, the mover of the resolution would be well advised to withdraw his resolution. On behalf of Government, for the reasons I have stated, I am sorry for not being able to accept it.

Babu KISHORI MOHAN CHAUDHURI: I expected a very sympathetic reply from the Hon'ble the Maharajadhiraja Bahadur of Burdwan, But I was sadly disappointed. I do not know whether I could claim that amount of knowledge which the Maharajadhiraja Bahadur, as head of the Revenue Department possesses, but from what I have known in my own district I can safely say that the delay of cadastral operations for a month or two—until the crops are gathered—is no relief at all. It is not that the people suffer most when the cost of settlement operations is realised from the tenants, but they suffer most by the operations of the cadastral Survey Department, I mean, of the *amins*, of the kanungoes and of the officers when the attesting business is done and when the final khatians are published. The zamindars willing to enhance rents will institute thousands and thousands of cases for enhancement of rent under section 105 of the Bengal Tenancy Act and the raiyats will institute as many cases under section 106 of the Bengal Tenancy Act to have a declaration that the rents are not to be enhanced. It is in this way that the people suffer most. We learn from private sources that there is distress in many parts of Khulna, but the Government are not willing to accept that suggestion or to admit that there is anything like a real famine. Even if there be distress, though not actual famine but only distress on account of failure of crops or, as we just heard from the Maharajadhiraja Bahadur, on account of inundation in certain parts where there has been a chronic failure of crops—if that is so, if there be distress, I think it would not be politic to proceed with the survey operations for the whole district. It is very difficult to keep work in abeyance for one part and to proceed with the operations in another part. It is not that these officers have been appointed for this district alone. There are other districts. If there is distress among the people, I think that, instead of oppressing the people by proceeding with the operations, the officers should be sent to some other district for work. In that Government would not suffer any serious loss. It may be that some work has been done but the remainder may be done after a year or two when conditions will have improved. We hear that, side by side with the survey operations, another inquiry is being held to see

whether any improvements in the existing embankments should be made and we hear that this is to be made under the supervision of the Settlement Officer. I cannot understand why this should be done.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: May I just mention one thing? Evidently Babu Kishori Mohan Chaudhuri did not hear me. I did not say that I have placed an officer of the Irrigation Department to assist the Settlement Officer but what I said was that an officer of the Irrigation Department will advise the Government. The settlement kanungoes when they go round will of course give information as they see it, but it is the officer of the Irrigation Department on whose report finally the Government will have to act.

Babu KISHORI MOHAN CHAUDHURI: If this thing should be done by the Irrigation Department, it should be done entirely by that Department, if necessary with a special officer deputed for that purpose. I object to the Settlement Department being engaged in that work because thereby the cost of the settlement operations will be increased and the people will suffer——

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: May I once more rise to remove the misconception of my friend? There is no question of increasing the cost of the settlement operations. Of course when these settlement officers go on making the survey they will be in a position to say what the conditions of these embankments are. It would be their ordinary duty. As a matter of fact it is for the purpose of saving money that we have placed an officer of the Irrigation Department on deputation.

Babu KISHORI MOHAN CHAUDHURI: I cannot understand why the Settlement Department should undertake this inquiry.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I am sorry to have to interrupt once again. The inquiry is not being made by the Settlement Officer, nor will there be any additional cost involved.

Babu KISHORI MOHAN CHAUDHURI: However, I have no dispute with the Maharaja for these things. I only say this, that when the people say that they are in distress and that the settlement operations should not be proceeded with, I cannot understand why Government should not accede to this request. It is only a temporary cessation of work and there is no special urgency about it. The Maharajadhiraja Bahadur admits that orders have been issued that cadastral survey should not be proceeded with, but that is only for a month or so. If there was distress you must surely take time to recover. Government have set apart for the famine work Rs. 50,000 and they are prepared, if necessary, to spend more. An amount of agricultural loan has also been advanced

to the cultivators to tide over this difficulty. These show that there has been real distress, if not actual famine. It is a pathetic appeal on behalf of the sufferers to Government.

In my district the road and public works cesses have been increased by about Rs. 50,000 that is, not less than 25 per cent. and the whole of this amount has to be recovered from the tenants, because, under the Cess Act, every tenant is taken as a tenure-holder and the increase is adjusted according to the income of the tenancy. At present where a tenant pays rent of Rs. 20, he pays only ten annas for road and public works cesses.

The DEPUTY-PRESIDENT: You need not enter into details.

Babu KISHORI MOHAN CHAUDHURI: Very well, Sir, I am simply associating myself with the appeal. The operations are going on and at present two special officers are dealing with objection cases which are numerous in number and many of which are pending. So I join in the appeal to Government that, considering the difficulties involved, they should wait for some time before proceeding further in this matter. I, therefore, hope that Government will see their way to accept the resolution.

Rai RADHA CHARAN PAL Bahadur: I have had the good fortune to listen to the reply of the Hon'ble the Maharajadhiraja Bahadur of Burdwan and I must say that we appreciate the sympathy with which he has received the resolution although he has not accepted it in practice and shown that amount of sympathy which he has expressed in words; but he has given us an assurance that in the affected areas he will stop further progress of cadastral survey. If the Maharajadhiraja Bahadur yielded a little further and made a little more concession by postponing the cadastral survey in the affected areas for one year, he would be giving breathing time to the poor people who are sorely affected and this act of his would meet the requirements of the situation. I hope the Hon'ble Member will kindly consider the suggestions I have made.

I do not know whether I shall be permitted to move an amendment to the resolution moved by my friend from my right, but if the Hon'ble the Maharajadhiraja Bahadur of Burdwan gave an assurance to the effect as desired by me, the House, at least the non-official side of the House, will be satisfied.

Rai JOGENDRA CHUNDER GHOSE Bahadur: It appears that the discussion has been carried on an ignorance of facts. I find that those gentlemen who opposed settlement operations in general on a previous occasion in the interests of the landlords are the men who now oppose it. Therefore, I suspect that this resolution has been brought in the interest of the zamindars and *ghantidars* and not in the interest of the tenants. Surely it has never been brought forward with the sole intention of helping the tenants.

Do the gentlemen who waxed so eloquent in their speeches know that Khulna is one of the largest districts in the province and that only one-tenth of its area has been affected and that nine-tenths of the area has produced bumper crops? Surely on this ground alone settlement operations cannot be stopped for the whole area of Khulna. Is there any reason in such an argument? The utmost that some of the leaders and office-bearers of the Famine Committee of Khulna told me was that in part of the Asasuni thana there was famine,, but as I told you in the nine-tenth part of the whole area of Khulna bumper crops were grown. They told me that it was not reasonable to stop settlement proceedings at the Bagerhat subdivision; they would never ask for it and I do not believe that those gentlemen who have supported the resolution will themselves ask for it. This is apparent from what fell from Rai Radha Charan Pal Bahadur that they are prepared to accept an amendment to the effect that a portion of the Asasuni thana which is affected by famine, should be excluded at present, but to propose to exclude the area which is unaffected, from settlement operations is, to say the least, unreasonable.

As regards the parts affected, I am much impressed with the reasons put forward by the Maharajadhiraja Bahadur and am convinced that no impartial person here will go against his view. The Hon'ble Member has himself been to the affected areas and has seen things with his own eyes and believes that famines there are chronic because of the condition of embankments, and therefore, he says that he will see that embankments are properly kept, and with that object he says that survey proceedings should continue. I do not think that he is wrong. In the interests of tenants I say that survey proceedings must go on. I find that there are certain well-meaning gentlemen who are very eloquent on theoretical subjects, but when they come to concrete objects of public good we find them equally eloquent in opposing them. As regards the affected areas, there are other reasons than what the Maharajadhiraja Bahadur has given us which should induce us to continue the settlement operations. The settlement officers, the survey *amins* will require a number of servants and attendants and many a poor man will be able to obtain employment and means of livelihood thereby in these hard days. It will benefit the poor as well as the tenants. The landlords, I might say, have been a little remiss. If they would give the poor some employment, probably it would not have been necessary for the Government to intervene; but they did nothing in that direction.

Pratapnagar so often repeated in to-day's discussion on the subject—eight annas of the village belongs to one. Unfortunately it is one of those villages in which there is chronic famine. It belongs to several co-sharers and there is a confusion in the matter of rights between the landlords and tenants. The Famine Committee wrote to me to set the embankments right and threatened me that unless I did so Government would intervene; probably the Hon'ble the Maharajadhiraja Bahadur would probably come down upon me some day. My reply was this: "I

am quite prepared to do so, but there are so many co-sharers and so many *ghantidars*. What of them. Let there be settlement and survey proceedings and I shall do the needful. That applies to every village. Until the settlement operations are made, landlords will find it difficult to make proper embankments. So far as my little property is concerned, I require no Government help. The causes of famine lie in the confusion of the record-of-rights and the division of the village into 100 shares and as a result the tenants suffer much more than the landlord. Therefore, in the interests of the tenants themselves, these proceedings should not be stopped.

Maulvi YAKUINUDDIN AHMED: As I was associated with the Revenue Committee in which it was deliberated whether settlement operation should continue at Khulna or should be stopped, it was my humble suggestion that in the affected parts it should not be begun so long as harvests were not gathered. And as it was reported that the harvest was a good one and as there was the communication from Sir P. C. Roy's Committee as well as that of Ram Krishna Mission Society that the relief operations which they had started were going to be closed by the 30th of November, it was apparent that the distress of which a cry was raised for some time past no longer existed, and especially when there was a good crop there was no apprehension that famine would again stalk over the land and, therefore, survey operations, excepting the area affected, should not be stopped in the whole of the district. We are told that a state of famine exists in Khulna, but as my friend, Rai Jogendra Chunder Ghose Bahadur, says from his personal experience that the famine is confined to a very small area, to say that Khulna is famine-stricken is to make use of a misnomer when the famine does not stalk over the land and to a great extent; and as the concession has already been made by the Hon'ble the Maharajadhiraja Bahadur of Burdwan that operations will not be taken up until after the harvest is gathered, it will give us a respite of at least four months and besides when operations will continue it will take about a year.

With these words, I oppose the resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I move that the question be now put.

The motion that the question be now put was put and agreed to.

Babu SAILAJA NATH ROY CHAUDHURI: May I not have the right of reply?

The DEPUTY-PRESIDENT: No, you cannot have the right of reply now when the motion that the question be put has been agreed to.

On the original motion being put, a division was taken with the following result:—

AYES.

Bhattacharji, Babu Hem Chandra.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Babu Tarakanath.
Das, Babu Bhishmadev.
Das Gupta, Babu Nibaran Chandra.
De, Babu Panindralal.
Parequl, Mr. K. G. M.
Haq, Maulvi A. K. Fazl-ul.
Haq, Shah Syed Emdadul.
Huq, Maulvi Ekramul.
Karim, Maulvi Abdul.
Khan, Babu Devendra Lal.
Khan, Mr. Razaur Rahman.
Mallik, Babu Surendra Nath.
Mitra, Rai Bahadur Mahendra Chandra.
Mukharji, Babu Satish Chandra.
Nakey, Mirza Muhammad Ali.
Nasker, Babu Hem Chandra.
Pal, Rai Bahadur Radha Charan.
Raikat, Mr. Prasanna Deb.
Rauf, Maulvi Shah Abdur.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Nalini Nath.
Roy, Mr. Bijoy Prasad Singh.
Roy, Rai Bahadur Lalit Mohan Singh.
Ray Chaudhuri, Babu Sailaja Nath.
Sarkar, Babu Rishindra Nath.
Suhrawardy, Dr. A.
Suhrawardy, Mr. Huseyn Shaheed.

NOES.

Addy, Babu Amulya Dhone.
Ahmed, Maulvi Yakuinuddin.
Banerjea, the Hon'ble Sir Surendra Nath.
Birla, Babu Ghanshyamdas.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Cohen, Mr. D. J.
Dey, Mr. G. C.
Duval, Mr. H. P.
French, Mr. F. C.
Ghose, Mr. D. C.
Ghose, Rai Bahadur Jogendra Chunder.
Hopkyns, Mr. W. S.
James, Mr. R. H. L. Langford.
Karim, Maulvi Fazlal.
Kerr, the Hon'ble Mr. J. H.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Marr, Mr. A.
Witter, the Hon'ble Mr. P. C.
Pugh, Colonel A. J.
Rae, Mr. W. R.
Rahim, the Hon'ble Sir Abd-ur.
Ray, Rai Bahadur Upendra Lal.
Robinson, Major-General, W. H. B.
Roy, Raja Manilell Singh.
Stephenson, Mr. H. L.
Swan, Mr. J. A. L.
Travers, Mr. W. L.
Wheeler, the Hon'ble Sir Henry.
Williams, Mr. C. Addams.
Wordsworth, Mr. W. C.

The Ayes being 29 and the Noes 31, the motion was lost.

Employment of Military Police at Chittagong.

Babu INDU BHUSHAN DUTTA being absent, the following resolution standing in his name was, by leave of the Deputy-President, placed at the bottom of the list:—

"This Council recommends to the Government that the recent method of application of section 17 of the Police Act, 1861 (appointment of special constables), in Tippera and in some other places in Bengal, and of utilising the services of the military police in the Chittagong division, be discontinued."

The Motor Vehicles Act.

Raja MANILOLL SINGH ROY: "This Council recommends to the Government that fresh rules under the Motor Vehicles Act be framed authorising the district boards of Bengal to levy taxes on motor vehicles when using the district boards roads for traffic or to make other suitable arrangements for securing the interests of the district boards."

At the outset let me say that my resolution is not aimed against private cars of persons either living in or out of the districts, but against cars which ply for hire and lorries especially.

In exercise of the powers conferred by section 11 of the Indian Motor Vehicles Act, 1914 (VIII of 1914), the Governor in Council was pleased to make rules regulating the use of motor vehicles in places in the Presidency of Bengal other than Calcutta (including suburbs) and the Municipality of Howrah and the rules were published in the *Calcutta Gazette*, dated the 3rd October 1917.

Though these rules were framed for mufassal areas, certain important points in my humble opinion were left out of consideration and these omissions are causing a great deal of inconvenience to the district boards and mufassal municipalities.

The district board roads even when they are metalled are generally intended for ordinary bullock carts, carriages and for cars used by private persons, and not for lorries whether classed as light or heavy and the bridges on them are totally unfit for passage of lorries whether classed as "light motor cars" or "heavy motor cars" as defined in rule I (*2*) and (*3*). And some of the bridges on them are not capable of bearing their weight and the heavy load they carry, even the big bridge on the river Barakar which joins the Grand Trunk Road on the Bengal side with the same on the Bihar side and is under the Bihar Government, has been closed to motor lorries without any distinction. Some culverts on the Asansol-Domohani Road (under Burdwan District Board) on the 5th mile have lately been damaged by lorries passing over the same. If my friend, Babu Satish Chandra Mukharji, the Vice-Chairman of the Hooghly District Board, who is a member of this Council is present here, he will tell you, I hope, how a bridge of theirs was damaged by a lorry on going over it. I am creditably informed that some culverts on the Grand Trunk Road were damaged by the lorries in passing over them.

Now companies are carrying on traffic over district board roads and often to the annoyance of the district board authorities as the rules have not even provided that any permission of the boards would be necessary for plying motor vehicles over district board roads. Owing to the bumping under the heavy pressure of a lorry, the bridges and roads are being heavily damaged and poorer district boards are quite unable to maintain their roads in good repair. In some cases especially during the rains the solings of roads are shot out under heavy pressure and the roads become dangerous even for ordinary traffic.

Of course rule 19 provides the local authorities with powers to prohibit the use of motor vehicles in particular places or streets and rule 30 provides the local authorities with power of declaring particular bridges closed to heavy motor cars and rule 29 provides for closing of traffic over a bridge when under repairs. But these are all negative powers and in their own way are useful. The district boards and

municipalities have to exercise them as they are and they are available for closing traffic absolutely without any distinction. They can either allow traffic without any condition attached to it or close it altogether. Instead of these two extreme measures it may be convenient for the district boards and companies or individuals intending to have motor traffic over district board roads to come to an arrangement that the district boards on getting substantial contribution from the owners of motor cars, may improve the roads and bridges and keep them well under repairs and prohibit any other individual or company from using these roads without paying adequate compensation. No 8-feet wide road could bear constant heavy lorry traffic, so that improvement would mean widening the road crest from 20 feet to 30 feet and the metalled surface from 8 feet to 12 feet. Nothing short of such improvements could be of real use. Culverts would require strengthening and widening, too, with widening of the roads. Considering the above and other things mentioned, the lorry cesses, contribution or compensation, should be adequate for the purpose.

The rules have provided for realising registration fees which goes to Government (and that is also very little), but have not provided the local bodies with any authority for levying fees or premiums from the owners of motor vehicles though their roads and bridges are spoiled and district boards have to incur heavy expenses for their maintenance. So it is highly desirable to amend the existing rules and frame new ones in order to authorize the district boards to levy premiums and fees from people who intend to have motor traffic over district board roads and none should be allowed to have traffic with motor vehicles plying for hire especially lorries over board's roads without special permission of the district board concerned. As it is often difficult to ascertain the strength of a bridge all lorries irrespective of their weights should be classed as heavy motor cars by adding definitions of a lorry and by amending clause (2) of rule 1. Moreover, authority for providing safety to the public may be entrusted to the district magistrate, but exercise of powers under rule 30 regulating the use of trailers, and rules 31 and 45 should be entrusted to the district boards or other local authorities concerned. The use of trailers on narrow district board roads, as they are not as broad everywhere as the Calcutta main roads or the Grand Trunk Road, is very unsafe and dangerous to life and to other users of the roads, such as, carts, etc. Without such provisions in the rules the friction between local bodies and the owners of motor vehicles plying in the mufassal for hire are unavoidable. So I earnestly hope that considering all the circumstances the Council will accept the resolution.

Babu TANKANATH CHAUDHURI: I beg to support this resolution. The thing is that those who use district board roads should contribute towards the maintenance of those roads. These heavy lorries

are constant sources of damage to the roads, and there should be a provision in the law that adequate taxes may be levied on the owners of these lorries. The mover has referred to cases of friction between owners of lorries and district boards. If I remember aright, there was such a friction in the Pabna district not long ago. I would ask the House to approve of this principle that those who derive benefit from the district board roads, or rather those who use these roads, should pay for their maintenance.

Khan Bahadur Maulvi WASIMUDDIN AHMED: I strongly support this resolution so ably moved by Raja Maniloll Singh Roy. The resolution aims at two things: amendment of the existing rules, and framing of new rules. Amendment in the direction that the power of giving licenses and general control as to the drivers, and other matters should be left to the district magistrate, but as to the weight of the lorry or vehicles that happen to pass over district board roads, should be left in the hands of the chairman, who is responsible for the maintenance of the roads and bridges. These things can not be determined by the magistrate. Under rule 30, of course the district board can close a bridge or a road to heavy lorries with the permission of the district magistrate. I consider that this permission of the district magistrate is quite unnecessary because the district magistrate has not got sufficient material, sufficiently qualified officers to determine the strength of the bridge. For these purposes, the district engineer will be the best person to say what weight a particular bridge can bear. So the district board ought to be the real authority. Rule 45 lays down regulations as to the weight of vehicles. There also, power is given to the district magistrate. On the same grounds, he is not the proper person to determine this.

Then as regards the new rules suggested by the mover. Under the rules, fees are levied by Government for registration. Though these lorries spoil the district board roads or municipal roads, no power is given to the municipality or the district board to levy any taxes or fees from persons driving motor cars or lorries. Of course when these new vehicles have come into vogue and they also save time and money, people in the mufassal want to have the luxury of driving motor cars, but the mufassal roads are not in such good condition as to allow of the driving of motor cars over them. It so happens sometimes that owners are willing to contribute, but there is nothing in the present rules to permit of such contributions being received. The only power which the district board has is to close a road entirely under rule 17 to all traffic.

So, I submit that this is a highly desirable resolution, and I think the House will accept it.

Rai RADHA CHARAN PAL Bahadur: I rise to support the motion which has been so ably moved by Raja Maniloll Singh Roy, but I want to know one thing. His resolution runs thus: "This Council recommends

to the Government . . . for securing the interests of the distric boards."

I can quite understand that the traffic so far as motor lorries are con cerned, is for commercial purposes and if motor cars are also used in an; paritcular district, the district board should be in a position to impos some taxation on those using them. I do not know whether my frien will agree to alter his resolution so as to include municipalities as well There is one other point. Supposing a car is driven from Calcutta t Burdwan or to Chakdighi is tax to be paid in each district through whic it goes? Some practical suggestions should be made regarding this b my friend; I do not think this is meant, although the resolution as worde implies this. The point should be made clear. License fees are levie in Calcutta. I have nothing more to add, but to support the resolutio that has been moved by my friend on the general groun that there is a section of the people who are quite able to contribute and who should contribute to the district board for the maintenanc of their roads.

MINISTER in charge of DEPARTMENT of LOCAL SELF GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): I thinl my intervention at this stage will be useful, and perhaps shorten thi discussion. I am in strong sympathy with the object of this resolution and in fact, we have incorporated in the Calcutta Municipal Bill, provision similar to the one which the mover now asks the House t accept. I may state for the information of the mover that it woul perhaps be difficult to apply the rules under the Motor Vehicles Act fo the purpose of taxation. The object of that Act was to regulate traffic, to register the names of the drivers——

Khan Bahadur Maulvi WASIMUDDIN AHMED: May I point out that clause (*c*) empowers taxation?

The Hon'ble Sir SURENDRA NATH BANERJEA: Therefore it will be necessary to amend, for the purpose that my friend has in view, the Local Self-Government Act so as to empower the district boards to levy taxes on owners of motor vehicles regularly using their roads. My friend made it quite clear that he wanted to apply a rule of this kind to motor vehicles on hire, but these are details which might easily be settled afterwards; the resolution I would ask my friend to accept in place of his own is this: "That this Council recommends to the Government that legislation be undertaken as early as possible with a view to enabling district boards to levy taxes and exercise control over motor vehicles which regularly use their roads."

Rai RADHA CHARAN PAL Bahadur: May I suggest "municipalities" also?

The Hon'ble Sir SURENDRA NATH BANERJEA: I do not think we should complicate the matter by this addition. We are drafting a Bengal Municipal Bill, and we can see to this in connection with that Bill.

The amended resolution was then put to vote.

Rai LALIT MOHAN SINGH ROY Bahadur: Has the mover accepted the amendment?

The DEPUTY-PRESIDENT: Yes.

The amended resolution was then carried.

Grant of road-cess to union boards.

Babu TANKANATH CHAUDHURI: I have asked for certain information with regard to union boards. This information has not yet been received, so I beg to withdraw the next resolution.

It was as follows:—

"This Council recommends to the Government that 30 per cent. of the road-cess realised from the villages comprising an union be made over to the union board for carrying on the works entrusted to such boards."

Adjournment.

The Council was then adjourned to Tuesday, the 29th November, 1921, at 3 P.M.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met at 3 P.M. on Tuesday, the 29th November, 1921, in the Council Chamber in the Town Hall, Calcutta.

Present:

The Deputy-President on the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 97 nominated and elected members.

Starred Questions

(to which oral answers were given).

Mr. Hartog of the Dacca University.

***XXXVI. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the amount of salary Mr. Hartog used to receive immediately before his appointment as Vice-Chancellor of the Dacca University?

(*b*) Had Mr. Hartog any administrative experience prior to his appointment at Dacca as Vice-Chancellor?

(*c*) Will the Hon'ble the Minister be pleased to state—

(*i*) the approximate annual cost for the maintenance of the Dacca University under the existing arrangements;

(*ii*) what part of the total expenditure is consumed by the Vice-Chancellor; and

(*iii*) the present financial position of the Dacca University?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) Mr. Hartog was not in the employ of Government and the information is not available.

(*b*) Yes.

(*c*) (*i*) The estimated cost for the year ending 31st March, 1922, is Rs. 5,23,300.

(*ii*) Rs. 52,800, viz., Rs. 4,000 per mensem salary and Rs. 400 per mensem Provident Fund contribution.

(*iii*) Receipts for the year are Rs. 5,00,000 Government grant and Rs. 72,000 estimated from fees.

Subordinate Educational Service.

***XXXVII. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether it is a fact that the reorganisation of the higher branches of the Educational service in Bengal took effect from the 1st December, 1919?

(*b*) Is the Hon'ble the Minister aware that the members of the Subordinate Educational Service have suffered more by the present economic crisis than those in the higher branches of the service?

(*c*) Is it a fact that the members of the ministerial departments have for nearly two years been drawing an *ad interim* allowance granted to them to tide over the difficulties arising from the existing economic situation?

(*d*) Is it a fact that the members of the Subordinate Educational Service have hitherto received no relief whatever on account of the existing economic difficulties?

(*e*) Is it a fact that the Wordsworth Committee submitted their final recommendations for the improvement of the Subordinate Educational Service over a year ago?

(*f*) Why have no steps been taken to give early effect to the reconstitution of the service?

(*g*) Who is responsible for the delay?

The Hon'ble Mr. P. C. MITTER: (*a*) It is a fact.

(*b*) The Minister is aware that present economic difficulties mean general suffering.

(*c*) It is a fact.

(*d*) Ministerial officers in the Subordinate Educational Service have received this *ad interim* allowance. Other officers of that service have not received that relief.

(*e*) The Committee reported in February, 1921.

(*f*) and (*g*) The details of the reconstruction proposed in the report have been under the consideration of Government for some time, and it is hoped that orders will soon be issued, granting relief with retrospective effect from 1st September, 1921, as stated by the Minister in moving the necessary grant in this Council on the 15th July last. It would have been possible to grant relief by an *ad interim* allowance with less delay, but deputations of officers that waited on the Minister made it clear that the services would regard this course as a palliative likely to postpone action on the main recommendations of the Committee.

Anti-malarial operations.

***XXXVIII. Mr. K. G. M. FAROQUI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table the scheme on anti-malarial operations which he has received from district boards?

(*b*) Will the Hon'ble the Minister be pleased to state what is proposed to be done in this connection and how the proposal is to be financed?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*) Proposals have so far been received only from the District Boards of Jessore and Faridpur. Government will lay the papers on the table, if this is so desired, when replies from all the district boards have been received.

(*b*) The question of anti-malarial operations will be discussed at a conference to which representatives of the district boards are being invited, and the proceedings of this conference will subsequently be laid before the Sanitary Board. Government are not in a position to give more definite information on the subject at present.

Dacca University.

***XXXIX. Babu SURENDRA NATH RAY:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) the number of boys who are now in the Dacca University;

(*ii*) its present monthly expenditure;

(*iii*) the names and pay of the staff of the University; and

(*iv*) the pay drawn by each of them, before employment in the University?

The Hon'ble Mr. P. C. MITTER: (*i*) The last figure that Government has is 724.

(*ii*) The estimated expenditure for the year 1921-22 is Rs. 5,23,300.

(*iii*) Reference is invited to the reply to question No. 189, asked by Rai Radha Charan Pal Bahadur at the meeting of August 1921.

(*iv*) Reference is invited to the statement accompanying the reply to an unstarred question asked by Babu Kishori Mohan Chaudhuri at this meeting.

Dispensaries and hospitals.

***XL. Mr. TARIT BHUSAN ROY:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) what were the total numbers of private, public, aided and unaided village dispensaries in the district of Dacca during

the last five years and how many of them were charitable; and

(*ii*) what was the total amount of contribution made by the District or Local Boards in aid of dispensaries or hospitals during each of the said years in the said district?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) A statement is laid on the table.

(*ii*) The amounts of contribution paid by the Dacca District Board in aid of hospitals or dispensaries during the last five years are stated below:—

(Besides these the District Board spent additional amounts on hospitals and dispensaries vested in them.)

Year.	Amount of contribution
	Rs.
1916-17	8,064
1917-18	7,963
1918-19	8,420
1919-20	12,913
1920-21	8,134

Statement showing the number of dispensaries in the district of Dacca during the last five years, referred to in clause (i) of starred question No. XL.

Class.	Dispensaries outside the town of Dacca.				
	1916.	1917.	1918.	1919	1920
Non-charitable					
I.—State Special	1	1	1	1	1
Charitable.					
II.—Local Fund Municipal Town ...	1	1	1	1	1
III.—Local Fund District Board ...	16	18	19	20	20
IV.—Private aided	4	4	4	4	4
V.—Private non-aided—					
(*i*) Under Government supervision.	7	8	8	8	9
(*ii*) Not under Government supervision.	3	3	3	3	3
Total ...	31	34	35	36	37
GRAND TOTAL ...	32	35	36	37	38

Primary Education.

***XLI. Mr. H. A. STARK:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to say whether in its capacity of Zamindar in the *khas mahals* Government contributes one per cent. of the revenues derived from these *mahals* for expenditure on the primary schools within such *mahals* over and above the grants-in-aid given to the said schools by district boards or the Department of Public Instruction, *vide* Government Order No. 550, dated the 21st June, 1888, General Department, Bengal, to the Director of Public Instruction, page 163 of the Rules and Orders of the Education Department, Bengal, Fourth Edition?

(*b*) Will the Hon'ble the Minister be pleased—

(*i*) to state what amount Government paid, out of *khas mahal* revenues, to primary schools in *khas* estates, during the financial year ending on the 31st March, 1921; and

(*ii*) to state what number of primary schools benefited by this special grant?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*), (*i*) and (*ii*) Reference is invited to the statement below.

Statement referred to in the reply to clause (b) of starred question No. XLI.

Districts.	Amount.	Number of Primary schools benefited by the grant.
BURDWAN DIVISION		
	Rs.	Rs.
Burdwan	221	2
Birbhum	32	4
Bankura	49	2
Midnapore	6,507	673
Hooghly (including Howrah)	826	26
Total ...	7,635	707
PRESIDENCY DIVISION.		
24-Parganas	3,343	169
Nadia	429	14
Murshidabad	403	14
Jessore	86	13
Khulna	1,924	34
Total ...	6,185	244

Districts.	Amount.	Number of Primary schools benefited by the grant.
	Rs	Rs.
Dacca Division.		
Dacca	960	58
Mymensingh	487	40
Faridpur	2,195	160
Bakarganj	10,919	389
Total ...	14,561	647
Chittagong Division.		
Chittagong	8,192	255
Tippera	1,246	120
Noakhali	3,545	187
Total ...	12,983	562
Rajshahi Division.		
Rajshahi	126	3
Dinajpur	...	...
Jalpaiguri	8,185	95
Rangpur	26	1
Bogra	609	20
Pabna	585	82
Malda	275	8
Darjeeling	1,842	5*
Total ...	11,648	214
Grand Total ...	53,012	2,374

* Besides these 5 schools, 53 schools including night schools were allowed to participate in the grant for one month only.

Unstarred Questions

(answers to which were laid on the table).

Dacca University Honours students.

125. Maulvi RAFI UDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state how many Honours students there are in the Dacca University, and how many of them have taken Honours in Philosophy?

(*b*) What is the subject that is taught by Mr. Langley?

The Hon'ble Mr. P. C. MITTER: (*a*) Two hundred and forty-nine students have taken up Honours courses in the University, of whom five are Honours students in Philosophy.

(*b*) Mr. Langley teaches Philosophy.

Vagrancy in Calcutta.

126. Babu JATINDRA NATH BASU: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government are contemplating taking early measures to deal with vagrancy in Calcutta?

The Hon'ble Sir SURENDRA NATH BANERJEA: The member is referred to the answer given to unstarred question No. 100 on the same subject asked by him at the meeting of the Council which was held on the 4th July, 1921. The matter is still under the consideration of Government.

Reconstitution of Calcutta University.

127. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether there is any early prospect of the University of Calcutta and the Colleges affiliated to it being remodelled on the lines suggested by the Sadler Commission?

(*b*) Are the Government considering the advisability of reconstituting the Bodies regulating the administration and studies of the University of Calcutta on a popular basis, and of introducing early legislative measures to alter the constitution, if there is no prospect of giving early effect to the recommendations of the Sadler Commission in their entirety?

The Hon'ble Mr. P. C. MITTER: (*a*) The matter depending largely on financial considerations, early action is not considered probable.

(*b*) Government are not unmindful of the representations that have been made, in this Council and elsewhere, of the advisability of making changes as suggested and have the matter under consideration.

Officers of Dacca University.

128. Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the names of officers receiving over Rs. 200 a month, appointed in the Dacca University in various capacities, and the salaries and other allowances, if any, paid to them; and

(*ii*) the previous posts held, and the salaries and allowances, if any, actually drawn by them immediately before their present appointment?

The Hon'ble Mr. P. C. MITTER: A statement furnished by the University is laid on the table.

Statement referred to in the reply to unstarred question No. 128.

Names of teachers and titles.	Pay or allowance under the Dacca University.	Pay drawn before employment under the Dacca University.	Previous employment.
ENGLISH.			
C. L. Wrenn, M.A., Reader and Acting Professor of English (*a*).	Rs. 1,000 (Rs. 850 *plus* acting allowances, 150).	Rs. 800 and free house.	Principal, Pachaiyappa's College, Madras.
S. M. Bhadra, M.A., Honorary Reader.	.....	.....	
A. K. Chanda, B.A., Honorary Reader.	.....	.....	
Manigopal Bhattacharyya, M.A., Lecturer.	Bengal Educational Service. Pay not settled.	Bengal Educational Service.	Bengal Educational Service.
S. K. Choudhury, M.A. ...	Rs. 250 ...	.....	Not employed before.
P. K. Guha, M.A.	.. 250 ...	Rs. 260. Would have drawn Rs. 270 in July	A. M. College, Mymensingh.
Mahmood Hasan, M.A. ...	.. 250	.....	Not employed before.
U. C. Nag, M.A. (*b*)	Rs. 250 *plus* Rs. 75 and free quarters as House Tutor of Jagannath Hall.	Rs. 250 ..	St. Michael College, Rangpur.
B. K. Roy, M.A.	Rs. 250 ...	.. 175 ...	Temporary Lecturer, Rajshahi College.
Sukharanjan Roy, M.A. .	.. 250	.. 168	Professor, Jagannath College, Dacca.
MATHEMATICS.			
B. M. Sen, M.SC., B.A., Professor ...	Indian Educational Service pay Rs. 1,600	Indian Educational Service pay.	Professor, Dacca College.
N. M. Bose, M.SC., Reader	Rs. 400	Rs. 250. Would have drawn Rs. 275 in July.	Lecturer, Calcutta University.
N. C. Ghosh, M.A., Reader ...	Bengal Educational Service pay Rs. 500.	Bengal Educational Service pay.	Professor, Dacca College.

(*a*) Used to draw about Rs. 200 a month for other work.

(*b*) Offered Principalship of College at Rs. 250 and free quarters.

Names of teachers and titles.	Pay or allowance under the Dacca University.	Pay drawn before employment under the Dacca University.	Previous employment.
Ataul Hakim, M.A., Lecturer (with special reference to the development of Mathematics by the Arabs) (a).	Rs. 250	Officiating, Bengal Educational Service pay Rs. 204	Professor, Chittagong College.
D. N. Ganguli, M.A., Lecturer ...	Rs. 750 *plus* Rs. 75 as House Tutor, Jagannath Hall, and free quarters.	Rs. 270 *plus* Rs. 50 *plus* free quarters as Superintendent of Hostel.	Professor, Jagannath College, Dacca.
Jyotirmoy Ghosh, M.A., Lecturer (b)	Rs. 250	.....	Not employed before.
PHILOSOPHY.			
G. N. Langley, M.A., Professor ...	Indian Educational Service pay Rs. 1,150.	Indian Educational Service pay.	Professor, Dacca College.
Haridas Bhattacharyya, M.A., B.L., Reader.	Rs. 500	Rs. 300	Lecturer, Calcutta University.
S. C. Roy, M.A., Reader	,, 500	,, 555	Principal Dyalsing College, Lahore.
U. C. Bhattacharyya, M.A., Lecturer.	Subordinate Educational Service pay Rs. 250 *plus* Rs. 75 as House Tutor, Dacca Hall.	Subordinate Educational Service pay Rs. 250	Lecturer, Dacca College.
U. N. Gupta, M.A., Lecturer ...	Rs. 250	Rs. 281	Professor, Jagannath College, Dacca.
M. N. Mukherjee, M.A., Lecturer ..	Bengal Educational Service pay Rs. 300.	Bengal Educational Service pay	Professor, Dacca College
HISTORY.			
R. C. Majumdar, M.A., Ph.D., Professor and the Head of History Department (c).	Rs. 600 *plus* Rs. 150 as Head of Department of History.	Rs. 540	Assistant Professor of History, Calcutta University.
A. F. Rahman, B.A., Reader and Provost, Muslim Hall.	Rs. 800	Rs. 640	Professor, Muslim University, Aligarh.
Satish Chandra Banerjee, M.A., Lecturer.	,, 250	Rs. 168-12 ...	Professor, Jagannath College, Dacca.
Sudhindra Nath Bhattacharyya, M.A., Lecturer.	,, 250	Rs. 220	Professor, St. Andrew's College, Gorakhpur.
P. C. Mukherjee, M.A., Lecturer ...	Bengal Educational Service pay Rs. 250 *plus* Rs. 75 and free quarters as House Tutor, Dacca Hall.	Bengal Educational Service pay Rs. 180.	Professor, Dacca College, Dacca.
ECONOMICS AND POLITICS.			
G. Paranjpikar, M.A., Ph.D., Professor (d).	Rs. 800	.....	
Politics.			
Devendra Nath Banerjee, M.A., Lecturer.	Bengal Educational Service pay Rs. 250.	Bengal Educational Service pay.	Temporary Professor, Dacca College.

(a) Post temporarily endowed by Hon'ble Mr. Altaf Ali.
(b) Used to draw Rs. 100 a month as the Government Research Scholar, Presidency College, Calcutta.
(c) Was free to take up additional remunerative work.
(d) Formerly held post in the Indian Educational Service. Relinquished on visit to England.

Names of teachers and titles.	Pay or allowance under the Dacca University.	Pay drawn before employment under the Dacca University.	Previous employment.
Economics.			
S. Vaidhyanatha Aiyyar, M.A., Lecturer.	Rs. 250	Rs. 140	Pleader, Madras University.
Krishna Binode Saha, M.A., Lecturer.	,, 300	,, 250	Lecturer, Calcutta University.
SANSKRIT.			
H. P. Sastri, M.A., C.I.E., Professor.	Rs. 800	.....	Government pensioner.
S. C. Chakravarti, B.A., Reader ...	Bengal Educational Service pay Rs. 500.	Bengal Educational Service pay.	Professor, Dacca College.
Radha Gobinda Basak, M.A., Lecturer.	Bengal Educational Service pay Rs. 300	Ditto ...	Professor, Rajshahi College.
G. P. Bhattacharyya, M.A., Lecturer.	Rs. 250	Rs. 200	Lecturer, Benares Hindu University.
Muhammad Shahidullah, M.A., B.L., Lecturer.	Rs. 250 *plus* Rs. 75 and free quarters as House Tutor, Muslim Hall.	Rs. 200 *plus* Rs. 25 allowance and free quarters	Research Assistant, Calcutta University.
ISLAMIC STUDIES			
Shams-ul-Ulama A. N. Waheed, M.A. (a).	Rs. 200 allowance	..	
A. Abdul Wahhab, M.A., B.L., Reader.	,, 400	Was a pleader.	
Khalil bin Muhammad Arab, Lecturer.	,, 250 . ..	Rs. 100	Nadwatul Ulama Madrassah, Lucknow
Abu Usman Khalid, M.A., Lecturer	,, 250 ...	..	
Manwar Ali, Lecturer . .	,, 250	... .	
PERSIAN AND URDU.			
Fida Ali Khan, M.A., Reader and Acting Proctor.	Bengal Educational Service pay Rs. 400.	Bengal Educational Service pay.	Professor, Dacca College.
Muhammad Burhanuddin, Fakhrul Muhaddesin, Lecturer.	Rs. 250	Rs. 150.	Professor, B. M. College.
PHYSICS.			
W. A. Jenkins, M.Sc., Professor ...	Indian Educational Service pay *plus* Rs. 100 = Rs. 1,050.	Indian Educational Service pay.	Professor, Dacca College.
S. N. Bose, M.Sc., Reader (b) ...	Rs. 400	Rs. 250. Would have drawn Rs. 275 in July.	Lecturer, Calcutta University.
S. N. Ghosh, M.A., Reader ...	Bengal Educational Service pay Rs. 500.	Bengal Educational Service pay Rs. 500.	Professor, Dacca College.
B. C. Guha, M.Sc., Lecturer ...	Rs. 250	Rs. 150	Professor, Metropolitan College, Calcutta.

(a) Draws an allowance of Rs. 200 from Dacca University as acting Head of the Department in addition to his duties as Principal, Dacca Madrassah.

(b) He would have drawn at Rs. 275 from July 1921 in Calcutta University.

Names of teachers and titles.	Pay or allowance under the Dacca University.	Pay drawn before employment under the Dacca University.	Previous employment.
CHEMISTRY.			
J. C. Ghosh, D.Sc., Professor (a) ...	Rs. 800	Rs. 518	Lecturer, Calcutta University, 1919.
A. C. Barooa, Ph.D., Reader ...	Bengal Educational Service pay Rs. 400.	Bengal Educational Service pay Rs. 340.	Professor, Dacca College.
P. C. Guha, M.Sc., Lecturer ...	Rs. 250	Rs. 200 *plus* allowance Rs. 30 *plus* free quarters.	Lecturer, Calcutta University.
Rajendra Lal De, M.Sc., Lecturer ...	" 250	Rs. 200. Would have received Rs. 275 in September.	Professor, Islamia College, Peshawar.
LAW.			
N. C. Sen Gupta, M.A., B.L., Professor and Provost, Jagannath Hall.	Rs. 1,000 and free quarters.	Rs. 750	Vice Principal, Dacca Law College.
J. N. Das Gupta, M.L., Lecturer ..	Rs. 400	" 300	Part-time. Practised as vakil.
EDUCATION.			
M. P. West, B.A., Honorary Reader	Nil	.....	
P. S. Katti, M.A., Reader ...	Rs. 700	Rs. 350, free quarters and allowance.	Principal, K. F. College, Dharwar. (b)
ADMINISTRATIVE DEPARTMENT.			
Jnan Ranjan Mitra, Personal Assistant to Vice-Chancellor.	Rs. 250 (c) ...	Rs. 150—5—180 ...	Stenographer, office of Director of Public Instruction, Assam.
F. O. Turner, M.A., Librarian and Provost, Dacca Hall.	Indian Educational Service pay Rs. 1,750.	Indian Educational Service pay Rs. 1,900.	Indian Educational Service, Principal, Dacca College.
Nasiruddin Ahmad, M.A., Khan Bahadur, B.C.S., Registrar.	Rs. 750	Rs. 550	Bengal Civil Service (Executive).
Monomohan Ghosh, Steward .	" 250	Nil	Not employed before.
Fakhruddin Ahmad, M.A., Sub-Librarian.	" 250	Rs. 250	Librarian, Dacca College. Was some time master at Hastings House, Alipore.
S. K. Das Gupta, M.D., Medical Officer.	" 400	.....	

(a) During 1917 to 1919 he used to get at Rs. 225 a month as Lecturer, Calcutta University. During 1919-1921 he was on leave for study and travel in Europe. Total allowance was Rs. 518.
(b) The institution was run on a low scale of salaries on the line of the Fergusson College, Poona.
(c) Pay offered at the University being the same as that offered by the Government of Assam for a Reportership in the Assam Legislative Council, viz., Rs. 250—10—350.

Scarcity of drinking water in parts of Khulna.

129. Babu SAILAJA NATH ROY CHAUDHURI: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that besides the scarcity of food and cloth there is an acute scarcity of drinking water in certain areas of the Khulna District?

(b) Will the Hon'ble the Minister be pleased to state the amount spent by the District Board during the last three years for the provision of drinking water in excavating new tanks and reclaiming old areas?

The Hon'ble Sir SURENDRA NATH BANERJEA: (a) It is presumed the question refers to thanas Paikgacha, Assasuni, and Kaliganj including Shyamnagar and Pratabnagar beat house, in which there have been repeated failures of crops since 1919; there is a great scarcity of drinking water in these parts.

(b) Two statements are laid on the table.

Statement referred to in the reply to clause (b) of unstarred question No. 129 showing the number of District Board reserved and grant-in-aid tanks and wells in thanas Paikgacha, Assasuni and Kaliganj, including Shyamnagar and Pratabnagar Beat House.

	Name of thana.	Number of existing District Board reserved tanks	Number of grant in aid tanks.	Number of tanks sanctioned and proposed to be excavated in the current and future years.
1	Paikgacha ...	7 (a)	10	5 (b)
2.	Assasuni ...	15	3	31
3.	Kaliganj, including Shyamnagar and Pratabnagar Beat House	27	5	44
	Total ...	49	18	80

(a) Besides one masonry and one ring well.
(b) Besides one masonry well proposed.

Statement referred to in the reply to clause (b) of unstarred question No. 129 showing the amount spent by the District Board of Khulna during the last three years for the provision of drinking water in thanas Paikgacha, Assasuni and Kaliganj, including Syamnagore and Pratapnagar Beat House.

Year	Amount spent on the excavation of tanks and wells.	Amount spent on repair of tanks and wells	Total.
PAIKGACHA POLICE-STATION	Rs	Rs.	Rs.
1918-19	1,802	Nil	1,802
1919-20	204	Nil	204
1920-21	Nil	10	10
Total ...	2,006	10	2,016
ASSASUNI POLICE-STATION			
1918-19	1,682	87	1,769
1919-20	Nil	148	148
1920-21	1,448	103	1,551
Total ...	3,130	338	3,468
KALIGANJ POLICE-STATION.			
1918-19	5,370	359	5,729
1919-20	2,013	191	2,204
1920-21	1,499	203	1,702
Total ...	8,882	753	9,635
GRAND TOTAL ...	14,018	1,101	15,119

Panchayati Union Schools for boys and girls.

130. Babu TANKANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the amount paid to each district out of the total grant of Rs. 29,424 during the current year 1921-22 for the maintenance of the panchayati union primary schools?

(*b*) Has there been an even distribution of the money to all the districts?

(*c*) If not, on what principle has this distribution been made?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement is laid on the table.

(*b*) No. Each girls' school receives Rs. 16 per mensem each, boys' school receives Rs. 10 per mensem except in Bakarganj, Tippera and Noakhali where the rate is Rs. 11.

(*c*) The principle of distribution is this. Of the Rs. 10 for a boys' school, Rs. 7 was intended for the Head Teacher and Rs. 3 for a monitor. It was presumed that the total receipts of the Head Teacher with fees would be about Rs. 13 per mensem except in the three districts named, where they were expected to be less, and a higher rate of Rs. 11 per mensem was accordingly sanctioned. Of the Rs. 16 per mensem for girls' schools, Rs. 12 was intended for the teacher, Rs. 4 for contingencies, including a woman-servant.

Statement showing the funds to be allotted to District Boards during the year 1921-22 for the maintenance of Panchayati Union Schools for boys and girls referred to in the reply to clause (a) of unstarred question No. 130.

PRESIDENCY DIVISION.

						Rs
1	24-Parganas	...	...	...	...	1,960
2	Nadia	...	.	...	...	2,314
3.	Murshidabad	...	...	...	...	984
4	Jessore	...	..	...		1,114
5	Khulna	...	...	...	...	1,784
				Total	...	8,156

BURDWAN DIVISION.

						Rs.
6.	Burdwan	...	...	...	...	765
7.	Birbhum	..	...	...	...	1,320
8.	Bankura	...	...	...	...	1,104
9.	Midnapore	...	...	..	..	752
10	Hooghly	...	...	...	...	240
11.	Howrah	...	...	...	...	984
				Total	...	5,165

DACCA DIVISION.

12.	Dacca	...	...	...	..	1,712
13.	Mymensingh		...	...	...	1,224
14.	Faridpur	...	...	..	...	1,500
15.	Bakarganj	...	...	...	...	720
				Total	...	5,156

CHITTAGONG DIVISION

16.	Chittagong	...	...	...	...	1,411
17.	Tippera	...	...	...	...	2,160
18	Noakhali	...	...	...	...	984
				Total	...	4,555

RAJSHAHI DIVISION.

19.	Rajshahi	...	...	...	...	744
20.	Dinajpur	...	...	...	...	312
21.	Rangpur	...	...	...	...	1,920
22	Bogra	...	...	...	...	1,176
23.	Pabna	...	...	...	...	672
24.	Jalpaiguri	...	...	...	...	864
25.	Malda	...	...	...	...	704
				Total	...	6,392
				GRAND TOTAL	...	29,424

Brahmo boys and Sanskrit Collegiate School.

131. Babu INDU BHUSHAN DUTTA: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that a Brahmo boy has recently been refused admission into the Sanskrit Collegiate School because of his religion?

(*b*) Is the Hon'ble the Minister also aware that the Brahmos have called themselves Hindus in the census returns and that the Hon'ble the Privy Council has decided that the Brahmos are to be regarded as Hindus in the law of inheritance?

(*c*) Will the Hon'ble the Minister be pleased to state whether Brahmo boys had formerly been admitted into the Sanskrit Collegiate School?

(*d*) Are the Government considering the desirability of taking steps so that Brahmo boys may be admitted into the Sanskrit Collegiate School?

The Hon'ble Mr. P. C. MITTER: (*a*) It has been ascertained that such an incident took place in January, 1921.

(*b*) It is understood that many have so described themselves. The Privy Council has so decided.

(*c*) Government are informed that there are records of the admission of some boys of the *adi* Brahmo Samaj but not of boys of any other branch of the Brahmo Samaj.

(*d*) Government have the matter under consideration.

Government Bill.

The Calcutta Municipal Bill, 1921.

The Hon'ble Sir SURENDRA NATH BANERJEA: I beg to move that the Calcutta Municipal Bill be circulated for eliciting opinion thereon.

On the last occasion, when I had the honour of introducing the Bill, I endeavoured to explain as fully as I could the principles underlying that measure, so far as its constitutional aspects were concerned. On the present occasion, it will be my duty to lay before the House those features of the Bill which deal with the administrative arrangements of the Corporation. Before I address myself to this matter, I think it is only right and proper that I should express my sense of warm appreciation of the industry, the care and the thoroughness which has been displayed in overhauling and reconstituting the Bill. It is a work of great magnitude and the credit of it all belongs to Mr. Payne ("Hear, hear"), the Chairman of the Corporation, in which, no doubt, he was aided by the officers of the Corporation and of the Legislative Department of this Council. It is only right and proper that the thanks of the Government in the Ministry of Local Self-Government should be publicly conveyed to them in this Council.

The Bill divides itself into four parts. I do not say that it is a scientific classification; but for all practical purposes this classification should suffice. In the first place, there are, what I may call, the drafting amendments, *i.e.*, those which are merely matters of language and drafting. Secondly, there are obvious omissions in the existing Act, which require to be rectified. Thirdly, the Bill provides for important powers conferred and obligations imposed upon the Corporation. The privileges and obligations of the ratepayers have also been added to. The Bill vests in the Corporation much larger powers than what that body now possess in respect of the regulation and the control of *bustees* and buildings including repairs The functions and the powers of the Corporation have been very considerably enhanced in respect of questions relating to sanitation and public health. I think it will be within the recollection of this Council that sometime back the Corporation submitted what they called an Emergency Bill which they wanted to be speedily passed into law. The provisions of this measure are embodied in this Bill. These provisions vest in the Corporation's new powers for the improvement of the milk-supply, the more effective prevention of the adulteration of food-stuffs, such as ghee, mustard oil, etc., and lastly, for the controlling and licensing of theatres and places of amusements. It will be admitted that the milk-supply of Calcutta is a very important question, in view of the fact that our people very largely depend upon vegetable diet. The Corporation is invested with the power of opening depôts for the sale of milk and dairy produce, and there is even something more. On emergent occasions, and subject to the sanction of Government, the Corporation is authorised to maintain depôts for trading (mark the word) in food-stuffs, cloth, and other necessaries of life. This represents a very important departure in our municipal law. I am partial to this piece of legislation, for I feel that in such crisis as this, when prices have gone up so high, if we had such a provision it would have been effective in checking the evil of profiteering and affording relief to the poorer classes I feel certain that when a provision of this kind has been placed on the Statute Book and has been made a part of the Municipal law in Calcutta, our friends in the rural areas will eagerly ask for its introduction into the law affecting our local bodies in the mufassal. I shall welcome such a demand, and, I think, that our local bodies ought to have powers in this respect. They are the custodians of popular interests and when the spirit of profiteering is abroad, it is necessary that legislation of this kind should be resorted to and enforced for the purpose of checking it.

Then, we have a provision for the purpose of controlling and licensing theatres and places of amusement. The necessity for a law of this kind has long been felt. It will enable the Corporation to fix and regulate the hours during which these places of amusements may be kept open.

There are other matters of detail, to which I think I might draw the attention of the Council—I do not know whether Dr. H. Suhrawardy is

present here—but as he is very much interested in the question of the overloading of bullock-carts, I may tell him that we propose to take powers under the Bill for prescribing the maximum load for bullock-carts and the width of tyres. The first of these provisions will prevent cruelty to animals and the second will protect the roads.

There is a small provision for the licensing of dogs. I do not know whether it will be acceptable to those who keep dogs, but I may point out that it is not intended to make any revenue out of this, but to prevent the nuisance of ownerless dogs.

Then, there is another matter of some imporance. The four funds of the Corporation will be amalgamated and they will form one fund. There is not the slightest desire on the part of the authors of the Bill to enhance the consolidated rate beyond 23 per cent.

We have taken power to compel markets, which were registered under the Act of 1871, to take out licenses. These old markets were exempted from taking out licenses, but it is necessary that they should do so in the interests of sanitation.

Then, again, there are places and shops which sell indigenous drugs and they must be registered, because complaints have been made that in some of these places poisonous and non-poisonous matters get mixed up together. These are some of the provisions and these are some of the powers which have been bestowed upon the Corporation. But there are also further obligations which have been imposed upon the Corporation.

In the first place, in the matter of water-supply, the Corporation will be compelled to keep up a minimum pressure of 40 feet in their mains which, in the case of extreme necessity, may be reduced to 20. The quantity of free water-supply is increased, and no matter what the amount of the rates a man may pay he will, in any case, be entitled to a free allowance of 20 gallons of filtered water—that is not the law at present. The allowance is now fixed upon the basis of the rates that a man pays and in no case should the free allowance exceed 50 gallons per head.

There is a provision which, I think, will be beneficial to the poorer classes. The Bill provides that water connections in the case of poor people who cannot pay for them will be defrayed out of the municipal fund, if the Corporation thinks fit. My information is that cases of this kind frequently occur, and the Corporation has not been able to afford the necessary relief. These are the principal points to which I would draw the attention of the Council. I have no desire to detain the House much longer. I want to point out to the House that though some of the provisions may seem to be drastic, there is this safeguard provided that the constitution of the Corporation will be an exceedingly popular one. The representatives of the ratepayers will be in a decisive majority, and they may be relied upon to safeguard the interests of the ratepayers and to prevent proceedings that are likely to be inequitable, harsh or oppressive.

One word more, and I have done. I am sensible of acute differences of opinion in regard to certain matters. In an Assembly like this there

must be differences of opinion. I hope and pray that the spirit of charity, and tolerance, the spirit of give-and-take may be the dominant note of this Council. We may have our differences, but let no bitterness be introduced into our deliberation in regard to matters where we cannot see eye to eye.

In asking the House to give me permission for the circulation of this Bill, let it be understood that the House is not required to vote on any section or any provision of the Bill. All that we ask the House to do is to give its permission to circulate the Bill for opinion and when the opinions have been received and when the select committee have considered them, then the report of the select committee on the whole Bill will be laid before the House; and the House will have the opportunity of discussing the provisions of the Bill, clause by clause, section by section and recording its vote thereon. They are not now called upon to discuss or vote on any provision whatsoever. It is a general permission which we desire to obtain from the House in order that we may circulate the Bill. There will be a full discussion after the report of the select committee has been received.

With these words, I beg to move that the bill be circulated for eliciting opinion thereon.

Mr. D. C. GHOSE: In that moving peroration with which the Minister for Local Self-Government concluded his great speech in introducing the Municipal Bill, he said—

> The Calcutta Municipal Bill which I have introduced is an object lesson in patience and in the triumph of the spirit of patience, which a section of my countrymen may well profit by

This was intended, as I understand it, to convey a moral, much needed in these days, to those of our countrymen who seem to believe that it is possible to secure the millenium by mere impatience and anger. But, Sir, the moral was equally needed by those of us who, without being in any sense impatient idealists, were beginning to ask in despair whether the amendment of the Calcutta Municipal Act would ever come. The work of amending the Act was taken in hand in 1912 and it is in the year of grace 1921, that the legislature is asked to consider the amending legislation. Surely, Sir, in these circumstances, the lesson of patience was needed, very badly, by everybody concerned with the fuller development of municipal polity and wider recognition of popular control in the affairs of the premier city in India. But, Sir, the great delay on the part of Government in finally submitting to the Legislature their proposals regarding the amendment of the Calcutta Municipal Act has not been without any compensating advantages. Perhaps the greatest of such advantages has been this that our veteran leader, Sir Surendra Nath Banerjea, has got an opportunity to shape and mould the amending legislation. Sir, I cannot help thinking that there is something almost romantic in the circumstance that Sir Surendra Nath Banerjea is in

charge of the Municipal Bill. The leader of the forlorn hope of 1899 is to-day the accredited exponent of the policy, which he had advocated in vain, 22 years ago. He was in the forefront of the struggle against any diminution of the authority of the Corporation and his passionate plea in the closing debate on the Calcutta Municipal Bill of 1899 is still ringing in our ears. He then said in language which he himself alone can coin—

> You will never be able to roll back the tide of progress which has set in with such irresistible force in this country. The forces of progress will triumph over the forces of reaction. I was associated with the birth of Local Self-Government in this city. I watched it at its cradle I ministered to its growing wants. I rejoiced at the exuberant vigour of its manhood I will live in the hope and trust that the wisdom of the past will soon be vindicated and the inestimable boon of Local Self-Government will, within a measurable distance of time, be restored to the city of my birth.

These were, indeed, prophetic words. He has lived to see that time and events have vindicated his policy and his principles.

This is not the stage when we can enter into a detailed examination of the Bill. There will be time enough, later on, for doing that work. Besides, those of us who are also municipal commissioners will have an opportunity, before long at the Corporation, to critically examine not only the constitutional clauses but what are far more important in some respects at any rate, the various administrative provisions of the Bill. But there are one or two provisions of the Bill regarding which I deem it my duty, at this stage, to enter my humble but emphatic caveat. Sir, I cannot help thinking that the decision of the Minister not to include within the municipal limits of Calcutta, Cossipore-Chitpur, Maniktala and Garden Reach is a retrograde step. This inclusion was specifically urged and recommended by the Calcutta Corporation and the reasons which were advanced in its support are, to my mind, absolutely conclusive. Against those weighty reasons, what do we find in support of the step which the Minister, unfortunately, has taken? It is the fear of agitation on the part of the people inhabiting those areas. Now, Sir, to this plea, it so happens that I have an answer, a complete answer, framed in the language of the Minister himself. Referring to the revision of the Act of 1876, he says thus in his speech in introducing this Bill—

> The time for the revision of the Act soon drew near, and when it was revised in 1888, the suburbs were included within the Calcutta municipal area *The measure gave rise to some little agitation, but the boon was soon recognised.*

I venture to think that in this case also, if the areas are included within the municipal limits of Calcutta, any agitation that might arise will soon subside and the boon will be universally recognised. I hope, therefore, that the Minister will revise and reconsider his decision in the light of what he himself has seen and said with regard to the inclusion of the suburbs within the municipal limits of Calcutta by the Act of 1888.

There is another provision in the Bill regarding which I have some criticism to make. The Minister has proposed that a part of Tollygunge will be included within the municipal limits of Calcutta. This is what he has said in his speech—

> We propose to include a small area in Tollygunge, if you approve of the sections relating to this matter within the municipal limits of Calcutta. The reason for it is chiefly sanitary. The area is small and its sanitary condition is so unsatisfactory that the only remedy left seemed to be to bring it within the jurisdiction of the Calcutta Corporation and the scope of its sanitary operations. Again and again has the Tollygunge Municipality been addressed on the subject, but to no purpose. To guard against possible loss of revenue which the Tollygunge Municipality may suffer by the exclusion of this area, the Bill provides that for 10 years a sum equivalent to the net revenue which it derives from this plot of land should be made good to it by the Corporation

I confess, I cannot understand why the Minister should have this tender solicitude for the Tollygunge Municipality. That municipality has so neglected its duties that the Calcutta Corporation has to come to its rescue and, out of the Calcutta ratepayers' money, has got to improve a grossly insanitary part of Tollygunge. However, I do not complain that the Calcutta Corporation has to take upon its shoulders the burden of improving a portion of Tollygunge. But what shall I say regarding the Minister's proposal that for 10 years the Calcutta Corporation should pay to the Tollygunge Municipality a sum equivalent to the net revenue which it derives from that portion of Tollygunge which will be included within the municipal limits of Calcutta? By what logic or justice or equity is this going to be urged or defended, I confess, I cannot comprehend? There is no reason given in the speech of the Minister except this that "again and again has the Tollygunge Municipality been addressed on the subject, but to no purpose." I do earnestly hope, the Minister will seriously consider whether it is fair to ask the Calcutta Corporation to take upon its shoulders not only the burden of improving a portion of Tollygunge but also the extra burden of providing the Tollygunge Municipality with money equivalent to the loss of revenue from the transferred portion of its jurisdiction.

Now, Sir, turning from the disagreeable task of criticising some of the provisions in the Bill, I join my humble voice to the chorus of praise and appreciation of many important features of the Bill. Especially do I appreciate the statesmanlike method of the Minister in dealing with the question of Muhammadan representation in the Corporation. The reasons he has given in support of the provision he has made in this behalf are, to my mind, conclusive. Let me say this to our Muhammadan fellow-members, both official and non-official, who are opposed to the Minister's proposals, that the action of the Minister regarding this question and the support of the same by the Hindu members generally and also by some of the Muhammadan members are actuated by the highest and purest motives of patriotism and citizenship. Let there be no mistake about our motives. They are, I can honestly say, above suspicion and reproach. What, after all, is the primary object that the

Minister has in view? It is to secure such representation as will be adequate and will voice the wishes and interests of ratepayers in general. And I venture to think that the Minister has achieved this object by the provisions he has made in this behalf in his Bill. If these provisions are given effect to by the Council, then the Muhammadan commissioners as well as the Hindu commissioners will come to the Corporation returned by the joint vote of Muhammadans and Hindus and will thus be in a position to represent the wishes and requirements of practically all ratepayers. What danger some of our Muhammadan fellow-members apprehend will result from the arrangement regarding Muhammadan representation, namely, reservation of seats and mixed electorate, I confess, I altogether fail to understand. I have never been able to discover any real divergence between Hindu and Muhammadan interests so far as municipal affairs are concerned. After turning this question in my mind over and over again and discussing it with various Muhammadan friends of mine, I have been able to get only one subject upon which there might be difference between Hindu and Muhammadan opinion. And that subject is the question of the prohibition of the slaughter of cows. Now this is a matter regarding which Hindus hold one view and Muhammadans hold another quite different view and this is well known to all. Therefore, Muhammadans, no matter how they are returned to the Corporation, whether entirely by Hindu votes or entirely by Muhammadan votes, will only voice that view regarding this question which their religion dictates. I cannot understand, therefore, how there can be any embarrassment or misunderstanding regarding this question. And this is the only subject which one can discover upon which there might be difference between Hindu and Muhammadan opinion.

But, Sir, it will be urged, I suppose that since separate communal representation is one of the recognised shibboleths of the politically-minded Muhammadans, therefore, *ipso facto*, it must be demanded at all places and in all circumstances. I have heard it said that the ties of party are difficult to disregard and, therefore, much against their conviction, some of our fellow Muhammadan members, will vote against this Bill. May I venture to appeal to them and say, in the language not my own, but of a distinguished English statesman, that—"Man was not made for party, party was made for man; and there are objects, aims, goals in our political life by the side of which the names and the ties of parties are subordinate indeed". And in this connection, may I quote and remind our Muhammadan fellow-members of the noble words which Burke used when he flung away a safe seat which meant much to him at a crisis of his political career. He said—

> If I go into the House of Commons at all, whatever constituency I represent, I sit there as a free man taking no orders from any one—not the mouthpiece of the constituency, but the free representative of a free constituency in a free House of Commons.

These are deep, pregnant words. I only ask that our fellow-members, who are distracted by doubts and difficulties, should ponder over them before they cast their votes.

Rai Dr. HARIDHAN DUTT Bahadur: I congratulate the Hon'ble Sir Surendra Nath Banerjea on the satisfactory Bill he has placed before the Council and for the publication of which he has sought our permission. It is not often that public men have the good fortune to see the fulfilment of their hopes and the realisation of their dreams. Very gratifying it is that the principles and the cause for which the hon'ble gentleman fought throughout his life unsuccessfully should have triumphed at last and that he should be in a position to carry out the reform. The cause of local self-government and the interests of this city could not be in safer and better hands. For to use his own words he was associated with the earliest municipal government of Calcutta, nurtured it in its cradle and ministered to its growing wants.

The Bill embodies most of the recommendations that have been sent to Government by the Corporation of Calcutta. We, the members of the Corporation, who had much to do with those recommendations cannot but be gratified with the success which has been achieved. We all sincerely hope that the Bill will be passed without any undue delay. The deliberation have already taken too long and the first proposal for the amendment of the constitution of the city of Calcutta was published in 1913. The amendment of the Act has long been overdue and any further delay particularly in the matter of the provisions relating to food and drug adulteration, milk-supply and various other things should be taken up at once. It is doubtful, however, whether the Bill can be passed as quickly as we desire. The Bill for 1898 was introduced in March, 1898, was referred to the select committee in April, 1898, the select committee reported in April, 1899, was again referred back to that committee in August, 1899, and was discussed in Council in September, 1899, and took 12 sittings and was finally passed in 1899. Between the first introduction and the final passing there was an interval, I find, of 18 months. There were altogether 565 amendments, and although the criticism stage may not take so long now, the discussion in Council here will probably take longer, having regard to the present constitution of the Council and its size.

It is gratifying that the Bill aims at liberalising the constitution of the Corporation and placing it on a popular basis and that it is proposed to reform the constitution of mufassal municipalities in due course. The abolition of the system of co-ordinate authorities which has always been an anomally and is now an anachronism, the enlargement of the Corporation and the vesting of all power in it, the election of the executive officer subject to the approval of Government, the lowering of the franchise, the introduction of the system of aldermen, and the curtailment of Government nominations could not but command general assent.

The controversy regarding communal representation for tl Muhammadans is likely to be actively taken up by my Muhammads friends. I find that the Muhammadan population of this city is onl 221,000 out of 861,000 or one-fourth according to the census of 191 and that out of 49,000 voters only 5,000 voters or less than one-ninth ai Muhammadans. The disparity between the numerical strength and tl voting strength is the chief difficulty. Another factor is that they are i a hopeless minority everywhere in the matter of voting strength bein about one-half only in ward 20, one-third in ward 8, one-fourth in war 13, 14, 15 and 24, and an insignificent fraction of the total number voters in other wards.

I find that under the Act of 1888, when every ward returned tw commissioners, and there were 50 commissioners the result of the electi was as follows :—

	Elected out of 50			Wards.
1st election,	15th March, 1889	...	5 Muhammadans	9, 13, 14, 15 and 19.
2nd ,,	15th March, 1892	...	9 ,,	8, 9, 13, 14, 15, 19, 20 and 2
3rd ,,	15th March, 1895	...	8 ,,	8, 9, 14, 15, 19, 20 and 21.
4th ,,	12th March, 1898	...	6 ,,	8, 9, 14, 15 and 20.

Under the present Act the result was—

						Wards
1st election,	1903	...	...	2 Muhammadans	...	8 and 14.
2nd ,,	1906	...	...	2 ,,	...	Do
3rd ,,	1909	...	...	2 ,,	...	Do.
4th ,,	1912	...	...	1 ,,	...	8.
5th ,,	1915	...	...	none ,,	...	...
6th ,,	1918	...	...	1 ,,	...	14.
7th ,,	1921	...	...	none ,,	...	...

The total number of Muhammadan Commissioners, including Govern ment nomination during the last twenty years, was as follows :—

1901	...	... 7	1912	...	... 5
1903	...	... 4	1915	...	... 5
1906	...	... 3	1918	...	... 6
1909	...	... 5	1921	...	... 3

From the figures given by me it would be clear that the Muhammadan never enjoyed a large number of seats. The present Bill provides fo 13 seats to them. That is certainly a great advance.

Now, Sir, I will say a few words about the different methods o securing an efficient representation and an adequate representation o Muhammadans. There are three methods possible, *viz.*—

(1) by communal electorates;
(2) by Government nominations; and
(3) by earmarking the seats in plural constituencies.

Regarding the first from the Montagu-Chelmsford Report we find—

(i) The division by creeds and classes means the creation of political camps organised against each other;

(ii) it teaches men to think as partisans, and not as citizens;

(iii) it encourages the minority to settle down to a feeling of satisfied security and takes away the interest for the minority to qualify itself like the majority;

(iv) the majority will be tempted to feel that having done all they need do for their weaker fellow countrymen they are free to use their power for their own purposes. It destroys the spirit of give-and-take which is the essence of political life;

(v) it stereotypes existing relations; and

(vi) the last objection is, if you introduce it in the Corporation, you will have to extend it everywhere.

The weight of opinion against communal electorates is very great. The next method is the method of nomination, the objections to which seem to be obvious to everyone of us.

The third alternative, namely, earmarking the seats, has been found to be the only possible and desirable solution of the most difficult question. The only objection that can be urged against it is that it will enable the majority, which is preponderatingly Hindu, to return a Muhammadan who may not be acceptable to his co-religionists. But we do not require fanatical Muhammadan or religious bigots but sound, wise and patriotic representative of the great Muhammadan community.

In the Calcutta Corporation, from my own experience now extending over 19 years, I may most emphatically say, that we never came across a case in which the interests of Muhammadans and Hindus were antagonistic. Indeed, municipal interests of both the communities are quite identical. I am glad to find that my friend, Mr. D. C. Ghose, also hinted at this matter. Secondly, the preponderatingly Hindu electorates returned Muhammadan councillors under the Act of 1888. What happened then will happen again if good Muhammadan candidates are forthcoming. Thirdly, it is only a compromise between communal electorates and Government nominations, and in these days when we are resolved to go hand in hand for political reforms I beg of my Muhammadan friends to take into their consideration the desirability of having a compromise in this matter.

As regards the number of seats for Muhammadans I may say that after a good deal of discussion and inquiry by a committee of the Corporation it was decided that they should have 11 seats out of 55. Now the present Bill gives them 13 seats. We do not grudge them two extra seats, if that would please our Muhammadan friends.

In this connection of communal representation the one thing that I cannot but mention is the position of the Marwaris in Calcutta. The Corporation of Calcutta in their recommendations mentioned that four seats should be earmarked for the Marwaris community. Although they are Hindus, in many details and points they differ from the ordinary

Hindu population of Calcutta and after an extensive investigation into this matter and debate in the Corporation the Corporation passed a resolution to allow four seats to the Marwari community. I hope, Sir, the claims of that community would not be forgotten.

Another point, before I resume my seat, is to express my regret that the Government have not thought it fit to accept the recommendation of the Corporation for bringing Cossipore-Chitpore and Maniktala into the town of Calcutta. Maniktala and Cossipore-Chitpore are virtually an integral part of the city and in our opinion should be included in the city boundary. Maniktala would by its situation receive the surplus population of Calcutta and help to relieve the pressure which prevails in the northern part of the city. The area of that municipality is 2,100 acres and the population is only 53,000. The income of the municipality is Rs. 1,80,000 and the expenditure is Rs. 1,75,000. The total rates levied work out to 19 per cent. If that area is included the ratepayers of Maniktala will have very little extra to pay.

As regards Cossipore-Chitpur they are already a part and parcel of Calcutta and resemble the city of Calcutta in its characteristic features. It is not a purely residential area which can be left to itself but it is the trading and commercial area of Calcutta and is in close and constant touch with the city. Its filthy and insanitary condition is a serious danger and menace to the city of Calcutta. The resources of that municipality and its powers under the Bengal Municipal Act, as already known to many of us, are too limited to expect it to effectively grapple with the municipal problems. Without a complete system of drainage and sewage in that area the sanitation of Calcutta is always in danger. We believe the portions between the Barrackpore Trunk Road and the river is only an elongation of the existing municipal boundaries of the city. Calcutta's water pumping-station and the elevated reservoir are at Tallah and should be within the Corporation control. The area of Cossipore-Chitpur is about 2,000 acres and population 48,000. The present income is Rs. 3,75,000 and expenditure about the same. The total rates are about 17½ per cent. The addition of Cossipore-Chitpur to Calcutta is sure to be advantageous to both. So I think it is desirable that these should be included within the Corporation of Calcutta.

Kumar SHIB SHEKHARESWAR RAY: Allow me first to congratulate our Minister for Local Self-Government on the stupendous work he has done, on his achieving in the fulness of his manhood this the fondest hope of his youth. We join with him in praying that may he never cry *nunc dimittis*, may he remain long our Minister and Mentor, to guide us in our deliberations and cheer us with hope. Sir, I must deplore that I had not had time enough to go through the various clauses and provisions of the new Bill. But our Minister has very ably and succinctly summed up the main changes, and the one that strikes us most is the system of Muhammadan representation. We

may all agree with our Minister when he says: "I oppose commun representation on principle" and also when he says "communal repr sentation certainly interferes with the growth of Indian nationhood and, therefore, we should not have it." We may all agree with hi in the principle; but I ask do we always act on such abstract principles Do we in politics follow abstract justice or do we do what is just an proper, taking into account all the conditions and circumstances?

In the very breath in which our Minister wants to secure complet self-government he asserts we are here to ensure the success of th Reforms. He forgets that he did not stick to the attainment of complete self-government, when the present Reforms were offered, but that he had to temporise, and considering the circumstances, acted on the expediency that half a loaf is better than no bread. He did not sit tight on his abstract principle, principle of "good government being no substitute for self-government." Sir, our Minister has accepted dyarchy knowing full well that it is indefensible on principle, and I for myself think that he has rightly accepted it. Whatever might be the merits of communal representation and I do not defend it, we have first got to see whether the Muhammadans do at present want it or not. If they consider, even wrongly, that their interests would be ignored if they have no special representation are we, because we are in a majority, to thrust a boon on them, unprayed for and unwished for and under which they would smart, simply on the ground that it will help us in the remote future to have a perfect Indian nation? Our Hon'ble Minister himself acknowledges that in the Montagu-Chelmsford Report this matter had been considered and terms of disapproval expressed, but at the same time the joint authors being practical men granted communal representation.

This new principle which has been introduced in the Bill and on which our Hon'ble Minister has waxed so big was known to them too. They had also considered all other possible and impossible schemes. And there is nothing new in the proposed method of representation as has been suggested by the Hon'ble Minister. In the Home Rule League memorandum submitted for the consideration of Mr. Montagu and Lord Chelmsford, a very similar method of representation and the joint authors after due consideration had rejected that, and preferred the present method of having separate electorates. They found that in spite of its defects in abstractions the Congress League scheme was the best, had the largest approval and commanded the greatest respect. And the Franchise Committee of which our Minister was also a member in unanimously adopting this scheme remarked as follows—

That a great majority of Indian masses, and the representatives of the Associations, political and non-political alike, not excluding those in which Hindu interests preponderate adhered to this compact and it seems to us that any departure from its terms would revive in an aggravated form a controversy which it has done much to compose

The Hon'ble Sir SURENDRA NATH BANERJEA: May I just intervene in order to correct a misapprehension under which my friend labours? I should not have intervened but for the personal reference he makes to me as a member of the Franchise Committee. What we were discussing was communal representation in regard to the Legislative Council and not in regard to the local bodies. That makes the whole difference. That makes that remark wholly inapplicable to the present case. My friend has also referred to the Congress League scheme and so on. I was the Chairman of the joint committee of Hindus and Muhammadans which discussed this scheme. We excluded the local bodies. The local bodies were not thought of. The whole scheme referred only to the Legislative Councils.

Kumar SHIB SHEKHARESWAR RAY: This is a very important problem and when a certain principle has been approved by a great body of public men, I think that it was applicable everywhere, whether it was Council or local bodies.

I fully agree with our Hon'ble Minister when he says, "let not the past in this matter blind us to the prospects of the future," but I should also add, "let not the vision of a glorious future blind us to the realities of the present." This matter of having a separate communal representation should be left wholly in the hands of the Muhammadan members, as even in the Congress League scheme—one of the authors of which was perhaps our Hon'ble Minister—it was stipulated in the second proviso to clause 4, that communal questions should have the approval of at least three-fourths of the members of that community. And we have already seen that on the day this Bill was introduced fully 20 Muhammadan members out of about 25 present, opposed the introduction of the Bill on this very question.

In this connection, I cannot help mentioning that perhaps the Muhammadans are right in saying that their interests are not properly safe-guarded without special representation. I am reminded of a speech in the last Council of our late lamented friend, the Hon'ble Mr. Rasul, a man whom all communities loved and respected. On the 5th of March, 1917, while commenting on a municipal matter, he pointedly drew attention to the fact that owing to the inadequate representation of Muhammadan members even in the Calcutta Corporation, there was no provision for funds for the burial of Muhammadan paupers, while Hindu paupers were cremated at municipal cost. Mr. Rasul said—

> My friend Rai Radha Charan Pal Bahadur has said that every member of this House well knows that there is no distinction between Hindus and Muhammadans in these municipalities. I should not go so far as to say that the Hindu members of the municipalities have deliberately neglected the interests of the Muhammadans, but I must say that they have been—I dare say—unwittingly indifferent to the interests of some of the Muhammadans in some municipalities.

He then continues—

Well we need not discuss the various municipalities, but so far as the Calcutta Municipality is concerned, the bodies of the Hindu paupers are burnt at the expense of the municipality, but, unfortunately, the bodies of the Muhammadan paupers are also burnt, there being no provision for their suitable burial.

Raja MANILOLL SINGH ROY: But the question is that Muhammadan dead bodies are never burnt.

Kumar SHIB SHEKHARESWAR RAY: Well, I do not say that; it was Mr. Rasul who said that. When Mr. Rasul made that statement, it went on unchallenged, and that ought to be enough and I take it as true. It was a gross charge of neglect, Sir, of partiality. And again it brings to my mind how for want of special electorates, minorities go absolutely unrepresented. Eighty per cent. of the population of Rajshahi are Muhammadans and, in consequence, on the district board of Rajshahi, there is not a single Hindu member to represent the Hindus of the important subdivision of Natore where they are in a hopeless minority.

Rai Dr. HARIDHAN DUTT Bahadur: I rise to a point of order. Is the member in order in referring to all these details?

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I think he is quite in order.

Kumar SHIB SHEKHARESWAR RAY: I am discussing the Rajshahi District Board, and I hope no body will challenge me because I come from Rajshahi. Sir, minorities must be represented, and for this even the new Congress constitution has adopted the system of single transferable votes. And for this, have the few municipalities in the mill area near Calcutta been given a separate electorate, and it does not lie in our mouth to disavow the policy of having special electorates? And small separate electorates based on purely communal lines have been actually provided for in this very Bill. Chamber of Commerce, Trades Association and Port Commissioners, all very small bodies, can send fully 12 members in addition to other seats which a European may be good enough to capture. I wonder at the value of a principle which is adopted in one paragraph and abandoned in the next. I hope, Sir, that due consideration would be given to the question of communal representation.

Babu RISHINDRA NATH SARKAR: I welcome the new Municipal Bill which has been introduced here the other day and I agree that it be circulated for eliciting public opinion. I congratulate the Hon'ble Minister who is fortunate enough to introduce the Bill because he happens to be one of the "Brave 28" Commissioners. In this connection, I must say that the thanks of this Council are due to those gentlemen who drafted the Bill.

But I find there are several grave objections, particularly in the matter of the constitution of the Municipal Council. I cannot understand why special seats are reserved for one community neglecting the interests of other communities. Why should not seats be reserved for the Marwaris who perhaps pay a large amount of tax to the Corporation? Their number is not very insignificant. Why should not seats be reserved for our Anglo-Indian and other brethren? I do not agree with Rai Dr. Haridhan Dutt Bahadur that separate seats are to be reserved for the communities interested, and I do not agree with him that the interests of separate communities who are in the minority can be safeguarded only by three ways *viz.* —either by nomination, or by communal representation, or by the method now adopted by the Hon'ble Minister. I think their interests can easily be safeguarded if the method of proportionate representation in election be adopted. The interest of the minorities can be protected in this way, and hence I fail to see why separate seats should be reserved for Muhammadans only. We all know that there was a strong feeling expressed by some of my Muhammadan friends the other day at the time when the Bill was introduced in this Council. They opposed the introduction of the Bill on the ground that communal representation for them by separate electorate was not included in the Bill. I like to know whether they would prefer to remain under the old Act or accept the present Bill. However, I appeal to them to reconsider this matter very carefully. If they want the success of the Reforms as well as of Local Self-Government and desire that Hindus and Muhammadans, Christians and non-Christians should move side by side towards national progress, I request my Muhammadan colleagues to consider this matter carefully and stand by the side of their Hindu brethren and say that there should be neither any communal representation nor any reservation of seats for them. Then even if I concede to the view, as laid down in the Bill that separate seats should be reserved for Muhammadans, I fail to undertsand why 13 seats should be kept reserved for them. Is it in proportion to the number of electors that are in the electoral roll now? No. Is it because the number of electors will be increased in the event of the reduction of the minimum qualifications of an elector that 13 seats are given, but even then the number should be in proportion to the number of electors in the new roll?

There is another objection in the constitution of the Council, seats are reserved for certain bodies, such as the Bengal Chamber of Commerce, and other such bodies. But I do not find the names of bodies like the Bengal National Chamber of Commerce, the Marwari Association and the Bengal Mahajan Sabha.

Further, I understand that the municipal authorities are going to take active steps in the propagation of primary education in this city. If that be one of the objects of the Corporation, I think that there

should be at least some seats reserved for the Calcutta University and educational institutions.

There is one thing more and I have finished. I suggest that in the new Bill provision should be made for the purchase and control of the stores in a proper manner. In view of the criticisms made about the management of the stores at the present time, I think it is desirable that there should be some provision in the Bill in that direction also.

Rai RADHA CHARAN PAL Bahadur: As I rise to say a few words on this historic occasion, the thought strikes me--and I believe that it will recur to the memory of many old citizens of this great city—how on an ill-fated day in the month of November 1896, a great pro-consul, in presiding over a Corporation ceremony as our honoured guest turned round in violation of all canons of decency and hospitality, and hurled wild anathemas upon our devoted heads and sounded the death-knell of the Corporation and dug its grave. The whole city was thrown into a paroxysm of grief and consternation. The mighty pro-consul in a fit of anger or rather in a fit of distemper accomplished what he desired. Blank despair and disappoinment filled every heart in this city, and despite the unanimous and vehement opposition of every section of the community the notorious Mackenzie Act was passed into a law of the land and the great edifice of self-government which was built up by his predecessors in office was dashed to the ground. Of that memorable occasion, I remember--and I remember with pride and pleasure—the gallantry and patriotism of a great band of non-co-operators, headed by the valiant Tribune of the people, the Hon'ble Minister, who now adorns the Government bench as a representative of the people. Round him clustered the stalwart figures of Kalinath Mitter, the Nestor of the Corporation, Bhupendra Nath Basu, Narendra Nath Sen, Nalin Bihary Sarkar, and last, though not the least, Nawab Syed Shams-ul-Huda, the President of this honourable Council, followed by a band of young workers of the Corporation. It is a happy achievement of statesmanship—I should say it is a tribute to the genius of the freedom-loving British race —that what an autocratic pro-consul snatched away in a fit of anger should now be restored or be proposed to be restored to us with the sanction and approval of the Reformed Government, which presides over our destinies to-day. When we look back to the history of the foundation, and the expansion of the Calcutta Corporation, we cannot but be filled with pride and also reflect upon the fact as to what a world of difference there has been between the glorious band of Hailebury men and the competition-wallas of the present day. It was the band of Hailebury men, who presided over the destinies of the country at that time and who conceded the supremacy of the Corporation in all matters relating to the city. When I read the proceedings of the Bengal Legislative Council of those days, I find that during the Lieutenant-Governorship of Sir Cecil Beadon, no less a personage than Sir Ashley Eden, the Chief

ecretary, introduced a Bill, giving the most complete and fullest control over civic affairs to the Justices of the Peace. Sir Ashley Eden in roposing legislation observed that the Corporation, vested in the ustices, should be the supreme authority in all matters concerning the ity. Perhaps it is not known to many gentlemen here—and so I may isclose the fact on this occasion that the principal concession, which he Hon'ble Minister is now making to the people of Calcutta, *viz.*, the oncession of the election of the head of the executive was actually conceded by Government in 1862. I find in the old Bill of 1862, as drafted y no less a person than Sir Ashley Eden, that the appointment of the hief of the executive, his salary and his removal was to be left to the 'orporation; that was in the original Bill; this was a foretaste of demoracy in those days. But in the select committee, however—then the ndian element in such a body was microscopic—this generous provision was deleted, and yet the fact is there that the Government of that ay conceded the principle that the Corporation should be the supreme uthority in every thing, and from 1863 to 1876, if the history of the 'orporation is read, it will be seen that it was a strenuous life on the art of those who represented the city. Stormy debates, unsparing riticism and remorseless scrutiny of the executive policy marked every tage of the Corporation proceedings. There was a happy coalition etween the British Indian Association and the Calcutta Trades Association; there was also the clique, which sat almost every week efore the Corporation met in the chamber of the British Indian Association where Europeans and Indians confabulated before coming to the 'orporation meeting to make a concerted attack upon the policy of the xecutive where necessary. Those were the days when Europeans and ndians ungrudgingly worked hand in hand for the common cause; nd I do not deny that even afterwards they continued in the same way, lthough I must say that there has been in evidence a certain amount of ethargy on the part of the European community of the present day. When we come to the year 1876, we find that a partial system of elecion was granted by Sir Richard Temple. In the present Bill the Hon'ble Minister has reduced the number of nominated commissioners to a very nsignificant figure. This, again, is a reiteration of the policy of Government in bygone days. If you read the speech of Sir Richard Temple in the Bengal Legislative Council in 1876, you will find him recommending that there should be as few Government members as possible; and he suggested that the number should be one-fourth of the 76 commissioners and it might be even less; but in the Council it was made two-thirds elected and one-third nominated. Sir Richard Temple was a Hailebury man—mark the distinction between a competition-walla and a Hailebury man. In 1876, the partial electorate system was introduced, and about the close of that year in the month of November—if I remember aright—the great Tribune of the people entered the portals of the Corporation and from that day onwards till Sir Alexander

Mackenzie sealed the fate of the Corporation, he continued to fight side by side with the gladiators of the past the battles of the people. From 1876 to 1888 the Act continued as it was framed, and in 1888 suburban areas were amalgamated, with the Corporation, but the main principle was retained all through that the Corporation should remain the supreme authority. In 1899, unfortunately for the citizens of Calcutta, as I have said, what was given with one hand was snatched away by the other by Sir Alexander Mackenzie who—I may be pardoned for claiming to have some personal knowledge of the ancient history of this city and I can assert that Sir Alexander could hardly be accused of any love for the bantling of his former chief—was shoved by Sir Richard Temple from the Secretariat to the district of Murshidabad. But I do not wish to say a great deal too much on the past history of the Corporation.

Now, coming to some of the main features of the Bill, what I find is this, that the number of members in the Corporation has been considerably increased, and I appreciate the concession that has been made and the gift that is offered to the people of Calcutta. But I, as an old member of the Corporation, who has consecrated his whole life to the affairs of the city, may venture to submit that we ought not merely to look to the number of seats but also to the efficiency of the work of the Corporation. Therefore, I believe, and it is my honest conviction born of experience that, unless this growing and ever-expanding city is divided into different districts, the administration of the city will not be so efficient as every body desires. Before 1862, when the Act creating the Corporation was framed, the city was divided into four districts. The city was then a "jungly" city and a vast marsh, but it was still divided into four districts, which were called upon to elect their own commissioners. Each commissioner was to administer his own district. In 1862, in order to develop the system further, Mr. Seton-Kerr introduced a Bill for the incorporation of the district councils into a central body and he divided Calcutta into six districts, but it was found that the expenses would be very heavy because municipal commissioners would have to be appointed in every district and the head of the district staff would have to be paid a handsome salary; and this they could not afford. We find that the Hon'ble Mr. Schalch, who was the first Chairman of the Corporation from 1862 and continued as such for seven years, when Sir Richard Temple's Bill came before the Council, suggested that a growing city like Calcutta would be much more efficiently managed if it were divided into separate districts. This view, however, Sir Stuart Hogg was not in a mood to accept. Then I come to Mr. Greer and Sir Andrew Fraser, who were the fathers of the district system. It was definitely promised and publicly declared by them that legislation would be taken in hand to give effect to this system.

The DEPUTY-PRESIDENT: Your time is up but I allow you 10 minutes more to conclude.

Rai RADHA CHARAN PAL Bahadur: But, unfortunately, no legis-
ation has yet been taken up since that date. What I find is that the
istrict councils exist merely on the sufferance of the chairman and the
orporation. I am inclined to think if the people of Calcutta are to be
ttracted to the work of the municipality, if they are indeed to be per-
uaded to devote their time and energy to the improvement of their own
reas, the district councils ought to be given a legal status.

Then I come to the next question, *viz.*, Communal representation
nd this is a knotty point, indeed.

However, let me point out one obvious fact and amidst the distrac-
ons of wrangle and debate it is this, that communal representation will
e disastrous to the solidarity of the nation. If we are Indians first,
indus or Mussalmans next, how can we conscientiously give counte-
nce to communal representation, which kills the sense of citizenship and
romotes partisanship in the sphere of public life? For the last 29 years
have been a representative of a certain ward in Calcutta on the Cor-
oration; I have a considerable number of Muhammadans in my ward,
nd I can venture to say with pleasure and satisfaction that the Muham-
adans have the greatest confidence in their Hindu brother, and I do
ot think, whether if any special seat is assigned to Muhammadans or
ot—although I welcome the assignment of seats—that there will be
y lack of interest on the part of the Hindu commissioners in the wel-
re of their Muhammadan constituents. After all our interests are
entical in all things. I may say that if a Muhammadan representa-
ve comes to the Corporation representing say, one-fourth or one-third
the inhabitants of a ward, and not as representing the entire ward,
s position will not be as strong as if he had been returned by the entire
ectorate. Another point is this, that in all matters, the Muhamma-
n and Hindu members returned by a general electorate are expected
take a much broader view than those returned by a separate elector-
who are likely to take a merely sectarian view.

Before I sit down I cannot but comment on one especial aspect of the
estion; and that is that while we are all opposed to communal repre-
ntation that has been asked for by Muhammadan members, I hope they
ll kindly pause on this matter because this will be an apple of discord
d our European friends will enjoy such a quarrel between Hindus and
hammadans.

I turn now to one important factor which concerns our European
izens. I find that special seats have been allowed for the European
mmunity, representing the Bengal Chamber of Commerce, and the
ades Association. Well, if you look into the Corporation resolution,
u will notice that they recommended that these special representations
ould be abolished, and that they should all come direct from the elec-
ate, so that they may have an equal chance with their fellow-citizens.
is is a matter, which, I hope, will attract the attention of the Hon'ble
nister.

In 1875, this was proposed by the Hon'ble Mr. Schalch, and Sir Stuart Hogg, who was then in charge of the Bill, and was subsequently Chairman of the Corporation, stoutly opposed it. The Hon'ble Mr. Schalch pleaded for especial seats for the Chamber of Commerce, the Trades Association and also for the British Indian Association, and Sir Stuart Hogg opposed it, and so also the representative of the British Indian Association. That proposal of the Hon'ble Mr. Schalch was not then entertained, but in 1888 in order to attract the co-operation of the European community, special provision was made. I think now that more than 30 years have passed away, and Europeans and Indians are sufficiently alive to civic duty, a separate electorate is not needed for a small coterie of men. Why should not the general electorate return European representatives on the Corporation? That should be insisted upon. I fully acknowledge the value of the services rendered by the European community to this city. I remember what was said by a great representative of the Indian community, that he was proud to say that he had always worked shoulder to shoulder and hand in hand with Europeans. Sir Stuart Hogg said that if he received any opposition it was more from Europeans than from Indians, and, therefore, it will be seen that the European community took the greatest interest in municipal matters. Unfortunately, the Chamber of Commerce did not take much interest but the Trades Association has ever been foremost in taking part in the affairs of the city, and I hope that the same civic spirit will prevail. I hope, therefore, that this point will be considered because it will place Hindus, Muhammadans and Europeans on the same footing.

Mr. HUSEYN SHAHEED SUHRAWARDY: It is scarcely necessary to congratulate the Hon'ble the Minister on the introduction of the Municipal Bill which shows unmistakable signs of his energy, his vitality and his persevering personality. It is no doubt a fine achievement from the point of view of popular representation and efficiency of municipal administration. But, perhaps, one feels that for the sake of economy of time and our fatal propensity for transforming a meeting place for the transaction of practical business into a debating club, the number 80 is too large and too unwieldy. I wonder if the Hon'ble the Minister could find his way to take a leaf out of the system of municipal administration in London and have small Councilets in groups of wards elected by the people and a larger City Council of which a few members as an innovation may consist of representatives from these Borough Councils, the rest being returned by direct elections and nominations; I feel that by this system even the outlying parts will be well looked after. A larger number of people will take a more intimate interest in their several localities, and a chance will be given to classes other than the monied middle class to impress their views and make their opinion felt. Not only, therefore, will the circle of interest widen, but people more easily accessible to the voters will be returned in the local committees.

Do you remember, Sir, the wholesale demolition of the households of the poor by the Improvement Trust without adequate provision having been made for them; do you feel, Sir, that these vast streets, those stately palaces are built upon the wretchedness and the homelessness of the people? Do you realise, Sir, that the hovels they live in now are far more crowded, far more insanitary, far more wretched than those demolished? I will not dwell on the miseries of the poor people who were forced to find shelter, who were driven from *bustee* to *bustee*, as the Trust followed in their wake. This could not have occurred so suddenly, so tragically, if the poor could have represented their miseries to the gods on high.

There is one other aspect of the Bill that cannot escape comment. The Hon'ble the Minister has dwelt on it when introducing the Bill with becoming solemnity and has commended it for our serious consideration. I refer to the setting apart of 13 seats for Muhammadans and the election of these Muhammadans by a mixed electorate. I may state at the outset that I am in favour of communal representation, and communal representation even in civic matters, although all communities may be equally interested in drainage, in road-repairs, in lighting, or in milk-supply. For otherwise, I cannot understand the undue representation which was given to the European element in Calcutta in allowing them to return members from the Chamber of Commerce, the Trades Association and other European bodies which are select electorates and whose interest in drainage and milk-supply is not increased by their larger wealth or stake in the country, with not only the privilege, but also the power, to return a few members from the general electorate, not like us, a few seats and a doubtful advantage of a general electorate with the surest prospect of a defeat. We do not grudge the Europeans these few seats, but we would similarly claim a communal electorate for ourselves. But there is scarcely any need to differentiate civic interests from political or religious interests and the Hon'ble the Minister has set us a good example when introducing the Municipal Bill that deals with civic interests in attacking the very principle of communal representation in all its aspects, including the political, and in reading us a homily on its unpatriotic and nation-disintegrating tendencies and it will scarcely now lie in his mouth to limit the sphere of his nation-building remarks to the narrow field of civic interest. But apart from the attitude of the Hon'ble the Minister, whom, let us frankly state, we cannot look up to for the safeguarding of Muhammadans interests, for have we so soon forgotten the indignation with which the Muhammadan community received the news that the Hon'ble the Minister had thought it worth his while to reduce the number of Muhammadans on the Coroporation of Calcutta from the paltry and insignificant figures of five to four? Apart then from the standpoint into which he might have been betrayed by his ardent oratory, we feel, as a matter of principle, that civic interests must eternally be influenced by political

and religious interests. Shall we talk of service in the Corporation, a sordid but yet an important matter, the Muhammadans are woefully ignored for want of reliable Muhammadan commissioners, although there are Hindu commissioners, like Rai Radha Charan Pal Bahadur, who enjoyed the confidence of the Muhammadans? Does the Hon'ble the Minister know how few Muhammadans there are in the service of the Corporation and the hindrances in the way of a new appointee? Shall we talk of a share in the administration of the Corporation, where a Muhammadan has never yet had a chance? Shall we talk of a danger that there may be attempts made by unscrupulous persons to keep out Muhammadans who are likely to make their presence felt in the Corporation and appealing to religious differences in support? A word to the wise is sufficient and we are not so dull that we cannot conceive of times when there is need for the championing of exclusive Muhammadans sentiment. Let us then consider the broad principle of communal representation as briefly as possible. I shall not enter into its detail—the great veterans know its history and derive wisdom therefrom. Call it an accident, call it an innovation, call it a brain-wave, but do not call it a curse, do not say it is unsuited to the present political atmosphere. I tread on dangerous ground and may be misunderstood, but can any one deny that the Hindu-Muslim unity, the signs of which we see all round us, the very birth of which is resplendent in glory, is still, to quote the words of that great political-philosopher of modern India, Mahatma Gandhi, a sapling requiring delicate handling? And to quote him further—

> It is unfortunately still true, that the communal or the sectarian spirit is predominant Mutual distrust is still there It is still true that at elections consideration not of fitness but of religion prevail

Yet, as he says, we are honestly trying to achieve unity in spite of them—but here we must go slowly, lest the sapling break for rough handling. Need I enter into consideration of the weak position of the Muhammadans which entitles them to special consideration, need I enter into the reason for the Lucknow compact, which, though it may be considered by some to be a bribe to the Muhammadans, clearly demonstrates that they have an importance not commensurate with their voting rights. This election has shown the value of communal representation. Our Hindu brothers and we have entered by separate doors and can anyone who sees us here to-day deny that we are the fastest of friends—without prejudice, without bigotry? But if we had to seek the favour of a mixed electorate, we can well imagine what sordid issues would not have been raised to appeal to the Hindu and the Muhammadan electors. The Hindu would naturally have tried to return a Muhammadan who thought with him and as a result we may even have renegades ready to flout Muhammadan sentiment for the advantage of capturing Hindu votes, which must

always be in the majority, at any rate in Calcutta. And during election time itself we would have these Muhammadan candidates appealing to pro-Hindu, pro-Muhammadan, anti-Hindu, anti-Muhammadan sentiments, raising the battle-cry of prejudice and bigotry, and once more rousing the hydra-headed serpent, about to be lulled to sleep. It would not ultimately matter who is returned, for both, if at all representative, if at all otherwise honest, would seek to co-operate with their Hindu brethren in the Corporation itself, but the tumult of bigotry raised by the election will leave behind it its permanent evil effects. And this statement of mine is independent of the two facts which I acknowledge that, owing to the superior resources of the Hindus, they may even be able to influence even a purely communal election, but surely influence it in a much less degree than if they had the votes of their own co-religionists at their disposal; and that they have not hesitated to help Muhammadans candidates at the last communal election for this Council and according to my surmise they will not hesitate even now. And in any event, if separate representation is given so that the sentiment of a community may find expression, then surely you need such men as may be in sympathy with the interest that they represent and this can best be attained by leaving the choice to the interest itself. For why should we return those who do not represent Muhammadan views at all, though they find grace with other communities? Alas! to take an example, have we not found many Hindus, educated and of some influence, who are unable to appreciate the Muhammadan point of view, even in matters in which the Muhammadans are so deeply agitated, matters which they consider, rightly or wrongly, to be of greater moment to them than life itself, *viz.*, that forbidden topic, the Khilafat?

And what we seek for ourselves, we shall give to the Hindus, if we are just and fair. Why should they not, too, in Eastern Bengal, have privileges, why should they not too, there, adequately represent the views of the minority? And I am sure that there is no one here from Eastern Bengal that will deny them that right and privilege. I would, therefore, ask my Hindu brethren to support our view, and, if their support causes surprise in some quarters, that supplies to me the strongest argument in favour of communal representation, for surely in those minds, the Hindu and the Muhammadan interests are opposed to each other. We should ask our Hindu brethren to have patience with us, if in our attempt to secure recognition, we lay stress too often upon our separate interests. The Muhammadans earnestly desire communal representation not against conviction, not for party reasons which may be the motives that influence Mr. D. C. Ghose, for is he not the first to cast stones, but they feel it will be to their interest. Give it to them, allow them to thrive for a few more years, do not be afraid that their efforts will slacken, they have not done so, and seats are not cheaply earned even amongst Muhammadans themselves, allow them to develop

a consciousness of their own, and they, with their adaptability and vigour, their traditions and outlook, which naturally make them good administrators, will attain in due course equality in knowledge, wealth and social position, and the need for separate treatments will disappear for ever. Let us then, Sir, work side by side without clash or conflict, nay more, let us minimise the opportunities for conflict, till such time as the sapling of Hindu-Muslim unity grows into a strong tree, and not all the subterfuges in the name of Reforms and mutual reliance will be able to undermine it.

Mr. S. M. BOSE: At the outset I desire to congratulate the Hon'ble the Minister in charge for the many excellent features in this Bill. The democratic element in the Coroporation has been greatly extended. The franchise has been conferred on a person paying Rs. 12 a year as tax, instead of Rs. 24 as at present. This change will mitigate the glaring inequality now existing between the minimum payment for franchise in Calcutta and that a mufassal municipality. For instance, in Cossipore-Chitpur, the payment of Rs. 3 entiles one to be a voter. Then, the number of elected members as well as their proportion to the total number have been increased. Further the two-fold functions of the chairman have been abolished and a remarkable advance is that both the President—I will not use the grandiose term Mayor—as well as the Executive Officer are to be elected. Useful provisions regarding food adulteration and milk-supply have found a place in the Bill; it is to be hoped that these will enable the inhabitants of the city to get pure food and good milk.

Now let me turn to offer some criticism of this Bill.

One most serious defect is that women have not been given the franchise. The provisions of the Bengal Electoral Rules regarding the qualifications of a voter have been copied verbatim with the exception of the salutary provision that the sex bar can be removed by a resolution. Why, I ask, this omission? I feel sure that the sympathies of the Hon'ble the Minister in charge are with women in this matter and I fail to understand by what reason or logic women ratepayers have been excluded from the exercise of this civic right. Women are interested in the problems of public health and sanitation, and it is but fair to allow them an opportunity of considering these matters. It is a remarkable fact that in the municipalities of Madras there is no sex disqualification and even orthodox women observing the purdah go to vote. In the United Provinces, the same thing holds. I submit that the case for the grant of franchise to women for the Corporation is stronger even than for the Council. In the latter case, it may be said that women owing to their seclusion are incapable of dealing with world politics—the politics of a vast place like Bengal. But in Calcutta, the problem is much simpler—an every-day problem which affects each inhabitant personally, *viz.*, how can we have pure food,

better water-supply and a cleaner city. We must interest women in these questions and the best way to do so will be to allow them to vote. I hope this matter will receive the attention of the select committee.

Then I turn to the difficult question of Muhammadan representation.

It is unnecessary for me to remind the members of their duty to consider the matter calmly from the sole point of view of national welfare. The objections to a system of separate representation have so fully been set forth in the Joint Report that I need only summarise them here. As Rai Dr. Haridhan Dutt Bahadur has said already division by creeds and classes means the creation of political camps, organised against each other and teaches men to think as partisans and not as citizens. They are encouraged to remain in a narrow groove and to think that they owe duty to their own community only. The minority then is under no inducement to exert itself, to educate and qualify itself to be on level with the majority. Thus the system is a very serious hinderance to the development of nationhood. It is only when all sections of the Indian people act and move together that progress towards the realization of a common citizenship can be made. It is clear that otherwise our goal of self-government cannot be attained.

Further, the State cannot permit any divided allegiance and so ought not to arrange its citizens in any way which would encourage them to regard themselves primilarly as members of any smaller unit.

We have recently seen the danger of allowing religion to assert a rival claim to the State, over a citizen's allegiance.

These objections to a system of separate electorate are well nigh insuperable. But it is said that this system was allowed for Muhammadans in the Joint Report. But is that any reason why it should be extended any further? The authors of the Joint Report, in spite of these valid objections, felt compelled to yield in view of the fact that separate electorate for the Council had already been conceded in 1909. They, however, remarked that any general extension of the communal system would only encourage further demands and would, in their deliberate opinion, be fatal to that development of representation upon a national basis on which alone a system of responsible government can be based. They desired that the number of special electorates should be as restricted as possible, and that minority interests should be represented, not by class electorates but by nomination; and where nomination proves unsuitable, they recommend reservation of a certain number of seats in plural constituencies with a general electoral roll. This expression of opinion has been given effect to in this Bill.

I ask, is there any reason why a system of separate electorate should be extended to Calcutta? One might conceivably support this system for Council election, on the ground that laws affecting a class may be made in Council. But what are the problems of the Corporation?

Have they not to deal with questions of sanitation, drainage, water-supply, etc.? Wherein does Muhammadan interest differ from Hindu interest in these matters?

It is refreshing to find Kumar Shib Shekhareswar Ray pleading eloquently the cause of a minority and asks us to give what is asked. Well, the other day, when the question of franchise for Anglo-Indian women was before us, where was the Kumar with this argument? I found him actively going about canvassing to oppose the claim of the Anglo-Indian minority, and now he trots forth this argument.

As regards the suggestion of proportionate representation, it can be applied where there are at least three seats in a constituency and so I think the principle cannot be applied here.

There is another serious objection to the adoption of this system. In that case, it will have to be extended to other municipalities and district boards and local boards, where its working will mean endless complications and where no body has asked for it.

I will conclude by a special appeal to my Muhammadan brothers carefully to consider the matter. We, Hindus and Muhammadans, are the children of our motherland. We are united by ties of brotherhood. Let us do every thing to make these ties stronger. Let us remember that united we stand and divided we fall; that our enemies will rejoice if we fall out. Let us not play into their hands. I echo the appeal of Sir Surendra Nath: let there be charity. For good and for evil we have been thrown together. May we, under the guidance of Providence march hand in hand towards our common goal.

Dr. HASSAN SUHRAWARDY: The introduction of the Bill to amend the Calcutta Municipal Act by the Hon'ble Sir Surendra Nath Banerjea has been received by a large section of the public as an epoch-making steps in the expansion of our civic rights. We look forward that all classes and communities will get a just and a large share in the forthcoming enlarged Council of our City Fathers. We welcome it and the Bill has my whole-hearted support.

As a Muslim, the points which naturally interest me most are those dealing with the representation of my community. The Hon'ble Minister in his speech has said—

> It must be admitted that the Muhammadan community is not represented on the Corporation as it should be. This is a state of things, which should be remedied on the principle of equal justice to all parties, which is the recognised policy of the Government.

These words, Sir, are the fitting expression of the mind of a large-hearted statesman gifted with foresight, like our veteran leader, "the Grand Old Man of Bengal." Much of the apprehension, much of the misgivings which were uppermost in the minds of many of the representatives of the Muslim community on this Council, have been removed by this utterance. Now, Sir, let me inform the House that the reason of this doubt and

apprehension in the minds of the Mussulmans was the manner in which the question of Muslim representation was dealt with at the conference convened by the Hon'ble Minister early in March this year. At this conference one of our Hindu compatriots proposed that the number of seats reserved for the Muhammadans should be limited to six, while others considered nine ought to be sufficient; and after a good deal of discussion 11 was finally settled as the number which ought to satisfy Muslim needs and Muslim aims and aspirations. This was the finding of that representative gathering, largely dominated by Hindus! Our demands, and the unanimous request of the three Muslim representatives, were turned down by the votes of the majority. Sir, "out of evil cometh good." The result of this conference has brought home to the Muslim members, the great importance of having a large number of Muslim representatives, to safeguard Muslim interests on public bodies where votes decide their fate one way or the other. The Hon'ble Sir Surendra Nath Banerjea has increased the number from 11 to 13 in spite of, and against the decision by a majority of the conference. The Muslim community is grateful to the Hon'ble Minister for his sympathetic attitude, but they feel that this unlucky number should not only be altered, but a large and more suitable number should be allotted to them, which will be adequate from the point of view of the importance and numerical strength of the Muslim community.

Rai RADHA CHARAN PAL Bahadur: Will an even number satisfy you?

Dr. HASSAN SUHRAWARDY: Yes, perhaps 20. They look forward that the members of this House representing as they do Europeans and Indians, officials and non-officials of the whole province of Bengal will give the question of Muslim representation on the Calcutta Corporation the just and fair consideration that it deserves, and take a broader and wider view than that taken by the members of that conference of March, 1921.

I understand that the 13 seats have been allotted on the basis of the voting strength, the rating strength and the numerical strength of the Muhammadans in proportion to the entire population. Now, let us examine this proportion. We find that out of the total of 80 there are 8 seats reserved for members to be nominated by Government, and 72 to be returned by election from amongst the different interests, Indian and European; and if out of this only 13 seats are reserved for Muslims representatives, the proportion is less than one-fifth of the total number of elected seats. Is this in proportion to the rating, voting and the numerical strength of the Muslims? Obviously it is not; and certainly not in proportion to their importance! We find that the European community are getting 12 seats reserved for them, and the Muslims are getting 13. Does the same triple formula apply equally to both of them? Is the numerical strength of the Europeans or their

voting strength nearly the same as those of the Muslims or bear the same relation as 12 does to 13? We know it is not.

Therefore, Sir, the best standard, the best principle to be guided by, is the influence and the political importance of a community and not their numerical strength alone. It is the consideration on this basis that gives the Europeans a good and a fair representation; though, numerically, they are in a minority, their influence and political importance is great. And the same principle should apply to the Muhammadans.

Now to return to the question of 13 seats. On a closer examination one finds that this triple formula referred to a few moments before has been applied only with reference to the 55 seats open for general election, and not the total number of elected seats, which is 72. The application of the same principle that allots 13 seats to Muslims out of 55 seats, gives them 18 out of 72. Obviously, therefore, the present number must be altered and increased.

A further reason to enlarge Muslim representation is the fact that their voting, rating and numerical strength, sufficient as they have been shown to get 18 seats out of 72, will be considerably augmented under the provisions of the law under consideration: Firstly, by inclusion of the practically Muslim areas of Tollygunge Municipality and if the suggestions and recommendations of my friend, Mr. D. C. Ghose, are accepted, Garden Reach and Maniktala will also be included which also have a large predominating population of Muslims. Secondly, by the reduction of the money qualification of the voters: the franchise which is now Rs. 24 a year as rates and taxes is reduced to Rs. 12 in the proposed Act. This will operate almost entirely, only in favour of the comparatively poorer Muslim rate-payers, who are at present excluded from the franchise.

Further, we find, that the number of plural votes have been reduced from 11 to 1 in every ward in which the voter has property qualifying for the vote. This also will work in favour of the Muhammadans.

Lastly, we find that the birth-rate, between 1911 the last census and 1921 the present census, has increased among Muslims. This will give them a greater numerical strength than the 1911 figures on which our present calculations have been made. Sir, I hope the House will agree that the voting strength under the provisions of the Act in contemplation will be increased in favour of the Muhammadans. It is also clear that the numerical strength and rating strength will also considerably augmented and as regards their political importance I trust the fact is agreed upon and recognised by all beyond argument. Therefore, from every point of view, the number of Muslim seats on the Calcutta Corporation as at present allotted is inadequate and should be increased.

Now, Sir, a few words on the question of communal representation. It is a form of representation, which has been given to Muslims on

different public bodies after a great deal of fighting and trouble on the part of their leaders. The Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur, has taken a great interest in that and is, I will not be wrong in saying, our authority on the subject. He has been in the thick of the fight in the Provincial and Imperial Legislative Councils on the subject. It satisfied their aspirations and their demands, and it will be very difficult for them to part with this hard-earned prize. We find that in the election of the European element on the Corporation class representation is allowed which is very nearly a communal representation. Therefore, what has been done to safeguard the interests of one community—the Europeans—may also be claimed by the other community the Muhammadans.

But in politics precedent has a sliding scale before the bigger issues involved, for instance, the question of "nation-building" I am willing to revise and forego my claims for communal representation. To my mind, so far as the Calcutta Corporation is concerned, it is more important to have a larger and an adequate number of representatives. It does not matter so much whether these representatives are elected by a purely Muslim or by a mixed constituency of Hindus and Muhammadans. Proposals which may interfere with the growth of Indian Nationhood cannot have my whole-hearted support. Let there be mutual trust and reciprocal friendship between Hindus and Muslims. There should be no acrimonious discussions and party politics in small matters like this. I look to our more advanced, more educated and more opulent Hindu brethren to give us the lead and encourage good-will and friendship. Let the select committee, which will sit on this Bill, deal with the question of Muslim representation more liberally and more justly than what was done at that conference in March this year. I can assure you, Sir, the Muslim will not be found wanting. I strongly advocate that the Hindus and Muhammadans should live and thrive side by side as friends, as neighbours, as brothers and as happy fellow-citizens of the same Empire. But let there be a spirit of give-and-take and of toleration and friendship from both communities. Then there will be no difficulty in Muslims participating with the Hindus in voting for Hindu seats, and Hindus for Muhammadan candidates. A member elected by a mixed constituency and commanding the respect and confidence of both, occupies a much better position than one who is looked upon with distrust by one or the other.

In matters where questions are decided by votes, I have already submitted that it is of the highest importance that the Muhammadans should have as large a number of their men on a representative body as possible; we want to enter the House, it does not matter through which of the many doors which lead to it we enter the House.

Communal interest must be safeguarded, communal representation must be large and adequate; this is the most important matter, the crux of the whole question. I have my duty to my constituency. If it

is found that the select committee does not consider the question of adequate Muhammadan representation in a manner expected, I shall have to oppose the Bill as it would be desired by my constituents.

If a fair and square share of seats are given to Muhammadans I am certain, I shall get an increasingly larger number of members to take my view of the question, and be satisfied with an adequate representation, and safeguarding of communal interest by larger representation and not fight for a purely communal franchise for election.

At this stage the Council adjourned for 15 minutes.

After the adjournment.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: I have only had a glance at the Calcutta Municipal Bill as produced by our veteran Minister of the nation-building department, and although I was more than pleased to breathe an air of democracy right through, but I must say I was disappointed in one respect, *viz.*, that he had entirely forgotten the interest of the working classes which constitute a very large portion of the voters of Calcutta. I am not so obstinate as to demand a Municipal Councillor, for representation of the working classes yet I must observe that he has overlooked the housing of this important class which contributes not only a large share of the rates but also constitutes the industrial backbone of the great city. I have noticed that he has devoted a special chapter to the improvement of the *bustees* without taking into consideration that the stringency imposed on the Calcutta landlords will eventually affect the rents payable by the workman tenant of the city. Sir Surendra Nath has visited all the big cities of England. Has he not noticed that the Corporations of Liverpool, Manchester, and other industrial cities provide municipal dwelling houses and model settlements for the working classes there? In short, what I want to see is that ample power is given to the Corporation to acquire lands and *bustees* and build municipal tenements for the labouring classes What I want to see is ample compulsory provisions made for the housing of this important class without which the prosperity of the city could never have been a reality. It is all very fine to say that ample powers exist to compel landlords to improve *bustees*, but does Sir Surendra Nath realise that landlords are not philanthropists and if they do any improvement they will have to exact heavier and more crushing rents from the working class tenants? My argument therefore boils down to this that the Corporation shall and may acquire lands for housing the working classes. The Improvement Trust made an honest attempt to tackle this problem and actually built tenements which proved a failure for various reasons. The Corporation, in my opinion, must provide municipal dwelling houses for the workers of the city and charge rents not based on the actual capital outlay but on the ability of the tenants to pay such rents. Coming to the question of communal representation, I find Sir Surendra Nath's

arguments are not at all convincing. It is perfectly true that this Bill provides more representatives of the Muslims in our local Council, but that does not go far enough to safeguard the special needs of a community whose claims for special electorates have been recognised by the Parliament, by the Press, and the public opinion of the country. Sir, as long as India aspires for true nationalism there must be conciliation of the interests of the people of all creeds and religions. I have talked the matter over with a number of Muslim friends who demand in one voice that there must be special electorates so that the type of representatives they want is returned and that I call this true democracy, the self-determination of the citizens of Calcutta.

Maulvi EKRAMUL HUQ: The Calcutta Municipal Bill provides for 13 seats reserved and any number up to the remaining 42 seats through the general or mixed electorate for Muhammadans if they could capture them. From 3 to 13 is itself a long jump, but there the Hon'ble the Minister has not stopped for, according to him, "the Muhammadan community should be represented in a manner commensurate with its influence and its importance" and hence the proviso that Muhammadans could come in through the general electorate also. We offer him our heartfelt thanks for the provisions made for us. It is but just and fair that the minorities should have such an influence in every corporate body as to effectively check any propensity towards vagary and oppression that the majority may possess. The principle that the voice of the minority should be made effective so as to exclude the possibility of the majority riding rough-shod over their individual and collective rights and liberties is, as it should be, the guiding principle of the State also, and this Bill provides for it, though not in the way that will best bring it about, at the present time. The representatives of the different bodies for whom provisions have been made by the Hon'ble the Minister will be able to exercise a restraining influence on the majority and the zeal of any member or members to force the views of the majority on the minority will generally remain below zero degree. The Howrah Municipality had an exhibition of this zeal and so had the Calcutta Corporation and so had this Council also. I believe in compromise and goodwill, but what I and my co-religionists will willingly concede to goodwill, we shall never to the tyranny of the majority, no matter what the consequences might be.

So far as the election of Muhammadans to the extra seats through the general electorate is concerned, while I for one put my entire faith in the goodwill and good intentions of the Hon'ble the Minister, yet I must be frank and say that the pious hope of the Hon'ble the Minister that Muhammadans will be returned through the general electorate will always be remembered with gratitude for its piety alone but never for its practicability. The whole history of election in Calcutta and in the mufassal clearly shows that the Muhammadans have as yet

no chance in the general electorate and so I shall humbly ask the Hon'ble the Minister not to disown the arrangements in the Congress to which he himself was a party so far as the question of representation of the minority is concerned. If the Government thinks, which it ought to, of giving Muhammadans more than 13 seats, let it not give by the one hand and take away by the other.

I humbly hope that I shall not be misunderstood when I discuss representation through a separate electorate. The Muhammadans as a community have all along been clamouring for separate electorates not only in respect of the Legislative Council but in respect of all local self-governing bodies. This is practically speaking the consensus of Muhammadan opinion on the subject. Out of regard for this strong Muhammadan sentiment, Government has been pleased to adopt the principle of separate electorate in respect of the Imperial and Provincial Councils. It is now time that Government should extend the system to all local bodies also. Recently, in reply to the address of a Muhammadan deputation in the Punjab, the Viceroy was pleased to declare that it was not the intention of Government to depart from this policy. It is therefore not understood why a Minister of this Government should propose a policy which runs counter to the declared policy of the Government of India and the Secretary of State and which is diametrically opposite to the views of the Muhammadan community. In political matters, in a country like India, it should be the policy of Government, not to foist the opinion of one community upon another community if the latter is against it. Government should pay proper attention to the views and wishes of all communities and frame their measures accordingly. It is hardly necessary for me to point out that, if the policy dictated by Sir Surendra Nath is accepted by Government, it will give rise to widespread discontent among the Muhammadans and they will raise their voice to condemn it. Will it be wise on the part of Government to bring about such a state of things? I beg to ask my Hindu friends in the Council to consider if they will be serving the best interests of the country when they force the Muhammadans to accept mixed electorates in the Calcutta Corporation and the other local self-governing bodies. Sir Edward Baker might have held a view suitable to his time, but should Sir Surendra Nath and his Government hold this view so unsuited to the time and poles apart from the view of the entire Muhammadan community? It may be said that a few Muhammadan members hold a different view. But, Sir, one swallow does not make a summer, and should the view of a few individuals, who do not care to know the minds of their less favoured brethren in Calcutta and the mufassal, pass for the view of the Mussalmans of Bengal?

The main argument on the strength of which mixed electorate is advocated is that it will create unity between the Hindus and the Muhammadans. To a superficial observer this may appear to be so, but stern

facts belie it. This system was in vogue for many decades and what was the result. The Muhammadans were nowhere. The reason are not far to seek. Those of the pleaders, local zamindars and money-lenders would exercise much power and influence in the land being Hindus, they could manipulate the canvassing in such a way as to easily suceed in persuading or intimidating the Muhammadan voters to vote for Hindus with the consequence that all the local bodies would become swamped by Hindu members. Can you believe for a moment that the Muhammadans could be enamoured of a system under which they were deprived of their legitimate number of seats in the local bodies and their interests jeopardised? Certainly not; such a system naturally embittered the feelings of the Muhammadans against the Hindus and unity under the circumstances was out of the question. But now, the Muhammadans have agreed to bury the past and they have forgotten the disabilities under which they had to work so long, and now they have agreed to run side by side with our advanced countrymen so as to reach the goal of *swaraj* within the shortest possible time. The Muhammadans members, chosen through separate electorate, are working smoothly and harmoniously with their countrymen in the land and striving for the same happy end. Could any of my Hindu friends in the Council say that the Muhammadans Councillors as a whole in the Reformed Council have been found wanting in love and loyalty towards their motherland? The Hon'ble Sir Surendra Nath thinks that only mixed electorate could make for nationhood. But separate electorate has made for nation-hood and I shall respectfully beg him to consider if it has not. We have succeeded here and why should he think that we shall fail in the local self-governing bodies and why should the Hon'ble Minister shudder at the thought of extending separate electorate in local self-governing bodies here and in the mufassal? Let all free men freely give their votes and not be made to sell it for money, intimidation or fear. It is there that separate electorate is most essential and must be conceded.

I ask my Hindu friends here in the Council to take cognisance of a fact. In East Bengal the Hindus are in a small minority. Would they not like to see the interest of such minorities properly safeguarded to avoid every chance of a conflict between the different communities? In Serajganj all Muhammadans were elected to the municipality and not a single Hindu. At Jamalpur, out of 10, all. At Tangail, 8 out of 10. Do they accept such a condition prevailing in East Bengal? In district and local boards in East Bengal the Hindus are pushed to the wall. But should they be allowed to be pushed to the wall? No. They should have the power by their number to effectively stop any vagary and ward off the tyranny of the majority. We should be prepared to give in such cases sufficient strength to the Hindu members to be a respectable body in the administration quite capable of protecting themselves. If you give such Hindus a mixed electorate, they will certainly resent as you open the chance of putting up to

power such of them who have much less in common with their brethren and who would like to please the party in power to the detriment of even his own community's interest. The Hon'ble Sir Surendra Nath may not have such fear, but those of my Hindu brethren who live in East Bengal and some in West Bengal also should have such fear; and the Hindus of West Bengal are in duty bound to be just to them.

I invite your attention to another fact also, and through you the attention of my hon'ble colleagues. The Hon'ble Sir Surendra Nath has agreed to separate communal representation. This may sound a paradox on the face of old rulings and not the new ones he has quoted and the vehement protest he has entered into. But *vide* his speech when introducing the Bill and mark his words—

I now come to the question of European representation Here we follow the system which has been in vogue since the Act of 1876 The Chamber of Commerce, the Trades Association and the Port Commissioners, which are mainly European constituencies, will continue as before to return members to the Corporation It will further be open to the general electorate in any ward especially in the European wards, to elect European members for the Corporation It may perhaps, be urged that this amounts to a special treatment of the European community But the Muhammadan community are treated in the same way, and seats are reserved for them to secure an adequate representation.

We are glad at the good luck of our European brethren and we should not be sorry if they are given more. But I humbly submit to Sir Surendra Nath that he has refused to give the Muhammadans what he has given to the European community. They are to be returned by their own community through mainly European constituencies, but in the case of Muhammadans they should come through a mixed electorate. Let not the Government play hide-and-seek with their reasonings. If self-government means Government by the people themselves, let the people decide what sort of Government they want. The Muhammadans have decided and let the Government be frank enough to accept separate communal representation But I take leave to assure my friends that it will not be long, when we have attained a footing of equality, when we have emerged from our present inferior position when all chances of being dominated over are gone.

The world will say with our worthy and Hon'ble friend and leader the Hon'ble Sir Surendra Nath: "What a marvellous progress the Muhammadans have made in Bengal and elsewhere. They have advanced by leaps and bounds, in culture, in enlightenment and in all that makes for progress," and, we, Muhammadans, will say in our turn to our brethren in the land, "We have been and are a united Indian nation and let the one seeming separation which was so galling to a vigilant and solicitous love cease for ever."

Babu AMULYA DHONE ADDY: I thank the Government and especially the Hon'ble Sir Surendra Nath Banerjea, the orator of Bengal, or rather one of the best orators of the British Empire, and the leader of the people of Bengal, for having accepted practically all the

suggestions of the Calcutta Corporation in the matter of the constitution of the proposed Corporation. Under the provisions of the Bill, the number of members of the Corporation has been increased from 50 to 80; the number of elected commissioners has been increased from 25 to 55, while the number nominated commissioners has been reduced from 15 to 8. There is a further concession to the people of Calcutta, namely, that the Corporation will be the supreme authority as regards the civic affairs of Calcutta, and the Chairman will be appointed by the Corporation itself. This is one of the suggestions made not only by the Corporation but also by all the public bodies of the city, namely, the British Indian Association, the Indian Association, the Bengal National Chamber of Commerce and several other public bodies. Therefore, we are grateful to Government for having accepted the above suggestion of the Corporation as well as other public bodies of Calcutta. I am also grateful to Government for having allotted a certain number of seats to the Bengal Chamber of Commerce, the Trades Association and the Calcutta Port Trust to represent commerce and trade in the Corporation. I admit that this is one of the special interests which should be watched especially on the ground that it is trade and commerce which have made Calcutta as it is. But I am really sorry to find that the interests of Indian commerce have been overlooked and the claims of Indian merchants and traders of Calcutta have been ignored. The Bengal National Chamber of Commerce has been recognised by Government, as will be evident from the fact that under the Government of India Act two seats have been allotted to this body in this Council and one seat in the Indian Legislative Assembly. Not only under the Calcutta Port Act has a seat been allotted to this Chamber but also under the Calcutta Improvement Act one seat has been allotted to them. I therefore fail to understand why no seat should be allotted to the Bengal National Chamber of Commerce at all in the Corporation. It may not be out of place to mention here that the Bengal National Chamber of Commerce and the Marwari Association have been recognised by Government, as will appear from the Government resolution published in the year 1913. They are public bodies representing important interests in Calcutta and might reasonably be expected to send representatives to the Corporation. In the Bill of 1917, we find that two seats were allotted to the Marwari Association and one seat to the Bengal National Chamber of Commerce. I am really sorry to find that these have not been embodied in the present Bill. As regards the Marwaris, I may be permitted to say that the inland trade of Calcutta and even a certain proportion of the sea-borne trade or rather commerce is practically in their hands. They have also very great landed interests in the city for which the Government of Bengal could not but propose in 1913 that the Marwari Association should have two seats in the Calcutta Corporation. And these are the reasons which led the Corporation to suggest that four seats be allotted to the

Marwaris in the Corporation. It is regrettable that their claims should have been ignored in the Bill under consideration.

There is another body whose claims also appear to have been ignored—I mean the Calcutta University, or rather the graduates of Calcutta. It appears from the said resolution of the Government of Bengal published in 1913 that it was proposed that the Calcutta University should send one representative to the Corporation, and that was the reason why in the Bill of 1917 one seat was allotted to the Calcutta University, and the Special Committee of the Corporation also suggested that this seat might be allotted not to the Calcutta University but to the graduates of Calcutta. However, it is desirable, as in the case of this Council, that the Calcutta University or the graduates of Calcutta should have a special seat in the Corporation.

Next I come to the most delicate question of communal representation It seems that our esteemed friend, the Hon'ble Minister in charge of Local Self-Government, is too liberal to our Muhammadan brethren. I deliberately say that Government is too liberal to this community, because it appears from the Government resolution published in 1913 and the statistics relating to the proportion of the various communities that, although the Muhammadans form 25 per cent of the total population, the number of Muhammadan voters is very small and the proportion of Muhammadan voters to the total voting strength is not more than 9 per cent. The two suggestions for Muhammadan representation are either that there should be communal representation or that they should secure representation through the general constituency. Under the former suggestion the Muhammadan community would send six or seven representatives, but if it was considered inadequate it was proposed that they should be allowed to secure such additional representation as it could at the end of the general election Therefore, under the Bill of 1917, it was proposed that nine seats should be allotted to the Muhammadan community and they should not be allowed to have any representative on the Corporation through the general constituency. The Special Committee of the Corporation, taking into consideration the special claims of the community, suggested that 11 seats should be allotted to them. In the Bill under discussion, however, we find that 13 seats have been allotted to them, and not only that, they would also be allowed to have representation on the Corporation through the general constituency as a whole. Therefore, it appears that considering the voting strength of the Muhammadans of Calcutta, the Hon'ble Minister, as I have already said, appears to be too liberal to them. In my opinion the best candidates, irrespective of race or creed, whether Hindus, Muhammadans or Christians, Indians or Europeans, should be elected. It may be said that in this very Council, about 40 per cent. of the members are Muhammadans, but this, I say, is in accordance with the Agreement made by the Indian National Congress with the Indian Moslem League. It may be said that

there were certain other reasons, as for instance, the social and religious customs which were taken into consideration for the apportionment of seats in this Council. It is not the marriage or other social laws but improvement of roads and drainage, opening out of new roads and so forth which are dealt with by the Corporation. These are questions in which all the citizens of Calcutta are equally interested, be they Europeans or Indians, Hindus, Muhammadans or Christians. I need not state the special reasons as to why there should not be special representation on the part of the Muhammadans. I would only draw attention to the report of the authors of the Reforms Scheme where the following passage occurs:—

Division by creeds and classes means the creation of political camps organised against each other, and teaches men to think as partisans and not as citizens

The report further goes on to say—

We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle The evils of any extension of the system are plain

Mr. HUSEYN SHAHEED SUHRAWARDY: Is the member in order in reading a speech which has already been thrice quoted?

The DEPUTY-PRESIDENT: I think he is in order.

Babu AMULYA DHONE ADDY: We must vote for the best candidate whoever he may be.

I think Government have acted very wisely in not having included the Cossipore-Chitpur Municipality or other suburban municipalities within the jurisdiction of the Calcutta Municipality for the special reasons stated in the speech of the learned mover of the Bill. It is not advisable to pass such a measure against the very will of the people interested There is another reason why it is not desirable to include this municipality within the jurisdiction of the Calcutta Municipality. I would draw attention to paragraph 132 of the report of the Calcutta Building Commission of 1898 The report says—

It appears that the funds available to the Corporation are barely sufficient for the ordinary working expenses, and for such improvements as become necessary from year to year

It further states—

We are satisfied that statutory powers cannot be drawn upon to meet the necessary expenditure.

That is the report submitted in 1898. Since then as the revenues of the Corporation have been increased by increasing the valuation of lands and buildings, there has been a corresponding increase in expenditure. Under the circumstances it will hardly be possible for the Corporation to incur any expenditure for improvement of outlying municipalties.

As regards the system of plural voting, I fail to understand why it has been proposed to be abolished. This system has been in force since 1888. It entitles a ratepayer to vote in accordance with the

amount of rates and taxes he pays, and the maximum number of votes he is entitled to is 11. This system has worked very successfully, and I fail to understand why it is going to be abolished. This is the system which is in force in Belgium, Australia and other civilised countries, and when it has worked smoothly and satisfactorily in Calcutta, there is no reason why it should be abolished. In this connection I may draw attention to the discussion in the Bengal Legislative Council when the Bill of 1888 was on the legislative anvil of Government. It appears from the discussion that plural voting strictly recognises the right of those who contribute the most to the maintenance of the Corporation to have a potent voice in electing the governing body. It also appears that the person who is better qualified than the great majority of voters should have a more influential voice. He who pays Rs. 1,000 as rates or taxes to the municipal fund should not be placed on the same footing as a person paying Rs. 12 only. I am afraid the proposed system will lead to corruption, and those gentlemen who have been exercising plural votes ever since will not go to the polling station at all.

I am also grateful to the Hon'ble the Minister for his having accepted the suggestion of the Calcutta Corporation in regard to the supply of pure milk. We all know where we are in this respect in Calcutta. It is due to the dearth of pure milk that the rate of infantile mortality is very heavy.

Notwithstanding the defects in the proposed Bill, it is much better than the one in force, and I congratulate the Hon'ble Minister in charge of Local Self-Government for the Bill which he has submitted to the House.

Mr. SYED NASIM ALI: It is a pity that in the first year of the Reforms the Muhammadans have been compelled to feel what *swaraj* in India will be. It has been said that the Bill has been introduced by the Hon'ble Minister in charge of the nation-building department. We all know that a nation cannot be built in a day; it must be built up gradually. We all know that the question of communal representation for the Muhammadans by a separate electorate has been agitating the minds of the Muhammadans from the very beginning when they really entered into the political life of this country. That the Muhammadans do want communal representation by separate electorate is conclusively and demonstratively established by the unanimous resolution passed by the Bengal Provincial Moslem League in all its sessions. That is the best proof that I can adduce to support my contention that the Muhammadans in a body want this. It was in agreement with the League that the communal representation of the Muhammadans by separate electorates was given to them for the purposes of election to this Council. But it is this Provincial League again—I refer to it because it represents the Muhammadans of Bengal—with its power,

ts influence and its prestige, that decided almost every year by unanimous resolution that the Muhammadans must have separate representation by separate electorates in all local bodies. I think I cannot quote a better authority than the decision of the League for all these years. This is the feeling of the Muhammadans.

Now let me come to the question of principle. It has been said that if the principle of communal representation is accepted it will serve as a hindrance to nation-building. We all know that one of the first principles of legislation is that we have got to deal with facts as they are, not as they ought to be. We all know that we must have complete self-government; we may have that Utopian idea; we may all aim at Plato's republic, but we have got to deal with things as they exist in the country. It might be said that there is a gradual tendency towards mutual forbearance, between Hindus and Muhammadans, and that, therefore, the Muhammadans need not be afraid of this; but we all know what this unity means. This unity has been engendered by certain causes which we all know are temporary. (Cries of "Question, question.") One of the first things which struck me was that there was an agitation very recently in the Calcutta Corporation for passing a resolution for the prevention of the slaughter of cows in Calcutta, and that synchronised with the agitation for Hindu-Moslem unity set up somewhere by some people. We all knew what that agitation meant, what that psychology was. We all know that we were clever enough to understand it. I have read the Bill and I find that the principle of representation of special interests—I particularly use the words "special interests"—has been recognised by the Hon'ble Minister in charge of the Bill. He has reserved a certain number of seats for the Bengal Chamber of Commerce, specially and rightly, but as a matter of tactics it has been reserved, and the members are to be elected by the Chamber itself. We all know that if this is not given to them, it will displease them, but so far as the Muhammadans are concerned, an attempt has been made to give us separate representation by the right hand, and an attempt has been made to take it away by the left hand. Thirteen seats have been allotted to the Muhammadans; why do you want Muhammadans at all? To me it seems that communal representation by a mixed electorate is a farce, and would attract very few Muhammadans. This principle recognises that the Muhammadans need special protection; Muhammadan interests need special protection, otherwise there would have been no necessity for reserving a certain number of seats for Muhammadans. If once that principle is conceded, if it is conceded that the Hindus would not be able to represent the interests of the Muhammadans in the Corporation, then we must have Muhammadans, not in name but in feeling, those Muhammadans who are really representative Muhammadans. If you once recognise the principle of communal representation, you cannot but

give them separate electorates, because if you want to return them from a mixed electorate, what does this mean? We all know who the majority of voters in Calcutta are; we all know what will be the fate of the Moslem electors if a real Muhammadan representative is not returned. As Mr. Suhrawardy has said, those Muhammadans will be returned who think with them; if a Muhammadan has a seat in the Corporation he will have to think of the feelings and sentiments of the Hindus without considering the interests of the Muhammadans. (A voice "What are those Muhammadan interests?") My friend has interrupted by asking what are those Muhammadan interests. I say the last motion in the Corporation by my friend, Babu Amulya Dhone Addy, about slaughter of cows speaks for itself. I give an answer in the words of Babu Amulya Dhone Addy; then it is said, what are the special interests? They are education and sanitation. It is a matter of common experience that where the poor Muhammadans live, there they do not get all the advantages that other communities get. (Cries of "Question, question.") That the interests of Muhammadans are neglected in many matters, in questions of primary education and other things. ("Question, question.") It is a question of fact My friend has questioned it, but everybody knows it and it is a question of fact

Maulvi YAKUINUDDIN AHMED: We support that.

Mr. SYED NASIM ALI: We all know that when Muhammadans in a body demanded communal representations, they did so on principle, and what was the principle? This is a very critical stage for Muhammadans Rai Radha Charan Pal Bahadur hinted here is an occasion for a fun for the Europeans; it reminds me of the story of the frog "What is play to you, is death to us" It may be fun to some of my friends who have practically challenged the position which we looked forward to as a settled fact, *viz.*, communal representation

Well, this is the time when power is being transferred from the so-called bureaucracy to the people. We all want this, but at the same time we expect that though in a minority, our interests would be safeguarded and adequately safeguarded. We decided to make the Reforms a success because we expected real *swaraj*; we were under the impression that the Reforms would be a success, if we, Muhammadans get our legitimate share in the administration of the country. All we get now is 13 seats for the Muhammadans on the Corporation by mixed electorate.

My friend, Dr. Hassan Suhrawardy, says that this is adequate representation; is that adequate representation, is that effective representation, especially if these 13 Muhammadans come from mixed electorates? We may have 13 Muhammadans, but they must be real Muhammadans and not Muhammadans in name.

There is one other fact. It has been said and much has been made of it that formerly there were only 4 seats reserved for Muhammadans

commissioners, subsequently it was reduced to 3, and now it has been increased to 13. My friend, Babu Amulya Dhone Addy, has said that too much concession has been made. My friend forgets that there was a time when there was a third party to whom the Muhammadans could look for safeguarding their interests; I therefore appeal on behalf of the Muhammadans to my European friends in the Council to consider the present position of the Muhammadans. If you find that power is being gradually transferred to the people, you ought to protect the minority; it is the bounden duty of every legislature to see that the interests of the minority are protected. In Bengal, we are more than 50 per cent. of the population, in Calcutta we are only 25 or 26 per cent., but it is not Calcutta that constitutes what is called the Muhammadan interests of the province, and that it is a death signal to us would also appear from the speech of the Hon'ble Minister, who said, that if we get communal representation for Muhammadans to-day in Calcutta, next day we would want communal representations in the district boards, local boards and municipalities. Why not? I say this is a strong argument in our favour. If you once refuse it in the case of Calcutta, you will also refuse it in the case of the local boards, district boards and municipalities. I say this is a question of principle, and therefore, I think this is a complete answer to the question of Mr. Sarkar, *viz.*, why Muhammadans should protest against the introduction of the Bill. Do the Muhammadans want to live under the old conditions? My friend says that Hindus and Muhammadans are so united that they can go hand in hand. We, the Muhammadans, would resign our seats in the Council if we really cannot protect our interests. This is the position of the Muhammadans. I appeal to the members of the Council to take these facts into consideration. It is for my Hindu friends also to consider this question. They are out to make the Reforms a success; let them not create a split in the first year of its existence. What harm is there in not accepting the abstruse principle of self-government? What harm can there be if you give communal representation now? Mr. Gokhale said in Bombay that the Muhammadans may not have a special interest in the municipality, but there is one thing which must be considered, *viz.*, that it is this opportunity to act in a municipality that gives a sort of civic education, and that gives the Muhammadans a certain field for his political training; therefore, real Muhammadans, Muhammadans who really represent Muhammadan feeling, must have an opportunity to be trained in this manner. You must consider this matter seriously. If the time comes when Hindus and Muhammadans will march hand in hand, if that Utopian time comes, nobody will protest against this; but as I have just said, we must see things as they are, and not as they ought to be.

I must express my heartfelt gratitude to Kumar Shib Shekhareswar Ray when he says that we must not follow a matter of abstruse principle. It is a matter of principle which can be applied to theoretical

platonic or Utopian ideal state. We must not have it at once. It is a question of time; if times change, if circumstances change, if the time comes when Hinuds and Muhammadans will be as they are represented to be now, then this question will not arise at all. But so long as things are as they are, so long as Muhammadans are as they are, so long as Hindus are as they are, this must be given to them. India is not England, India is not America, India has got its peculiar elements, its peculiar features, therefore, the abstract principle of self-government which is applicable to other countries are not applicable here.

Babu SURENDRA NARAYAN SINHA: I am not going to discuss the details of this Bill, but what I gather from the speech of the Hon'ble Minister when introducing the Bill, the Bill before the House is well drawn up and desirable changes have been made in the constitution of the Corporation of Calcutta in the draft Bill. In this connection I would like to mention one fact, that strikes my mind and that is the necessity of seats for the Marwari community and the Calcutta graduates on the Corporation. Then, as regards communal representation, I would like to make a few observations. I believe that there is a cry for communal representation for the Muhammadans. The Hon'ble Minister has provided 13 seats for the Muhammadans and I believe the Minister has given a very liberal consideration to the point. If the principle of communal representation by different electorates be admitted in the Calcutta Municipal Bill, it is sure that the same principle will be followed later on in mufassal municipalities. If we look to the electoral rolls of some of the mufassal municipalities we see there are wards where a very little number of Muhammadan ratepayers live, and it will be an injustice to the Hindu and other communities if Muhammadans are elected by special electorates. In answer to the remark of my friend, Maulvi Ekramul Huq, that mahajans and landlords will influence the voters, I may say that when the system of voting by ballot is introduced there will be no such trouble. We have also heard the argument that the Education Department Muhammadans do not get their share. I would like to mention here that as regards primary education, scholarships are allowed to 5 per cent. of the Hindus and 10 per cent. of the Muhammadans. I would also like to point out that the principle which the Government follow in nominating members is very fair, and according to this calculation the number of Muhammadan members will be a little more than 12, but the Hon'ble Minister has allotted 13. At this time of unity between Hindus and Muhammadans, I think if separate electorates are allowed for Muhammadans, it will create more party factious, and therefore, I think, there is no necessity for separate electorates.

With these words, I beg to submit that the Bill may be circulated as proposed by the Hon'ble Minister.

Maulvi SHAH ABDUR RAUF: While congratulating the Hon'ble Minister for the statesmanlike way in which he was introduced this Bill, I must confess that I cannot agree with his views regarding Muhammadan representation on the Corporation. No doubt, the *entente cordiale* of different communities of a State is essential for the material progress of that State, but I fail to see that that *entente cordiale* depends upon the the amalgamation of various conflicting interests. To safeguard these very conflicting interests and to give everyone his proper share are the ways in which the prosperity of a State can be maintained. The question arises why Muhammadans want separate representation. The Hon'ble Minister in his speech when he introduced this Bill has admitted that Muhammadans require separate representation inasmuch as he said —

> It must be admitted that the Muhammadan community is not represented on the Corporation as it should be, and in a manner commensurate with its influence and its importance. This is a state of things which should be remedied on the principle of equal justice to all parties which is the recognised policy of the Government

That being so, it is admitted that separate representation is required to safeguard Muhammadan interests. This is not only the case in the Corporation; it is the case in other local self-governing bodies. Just on the eve of the Reforms when there was a discussion on this question, an unanimous demand was made for separate representation for Muhammadans. Now a critical time has come for Muhammadans, when there will be strong opposition against this separate representation on the Calcutta Corporation. The Hon'ble Minister in his speech is afraid lest if this separate representation is given to the Muhammadans so far as Calcutta is concerned, there will be in the near future the same demand so far as the district boards and mufassal municipalities are concerned. If the principle of separate representation is recognised, once there is no reason why it should not be extended to the district boards and mufassal municipalities. The question then arises whether that representation should be communal or mixed, whether the Muhammadans who have been given a certain number of seats should come through communal representation or mixed electorates. If you recognise the principle that they ought to be represented separately, why then not allow them to come through those persons whom they would represent in the Corporation? I agree with my learned colleague, Mr. Nasim Ali, that what he seeks to give with the right hand he takes away with the left. I do not like to deal with the various aspects of the question which have been dealt with by Mr. Nasim Ali. The only argument that has been hurled against the principle of Muhammadan separate representation is that nation-building will have to be stopped or hampered, but I tell you that unless you look to the interests of the various communities and safeguard the interests of the various classes, you cannot build a nation.

With these few words, I greatly oppose the principle of mixed electorate system and whole-heartedly support separate Muhammadan representation.

Maulvi RAFI UDDIN AHMED: I have listened with care and patience to the able speech of the Hon'ble Mover of the Calcutta Municipal Bill. I must congratulate the Hon'ble Minister for his able and arduous work. But I am sorry that I cannot be at one with him with respect to at least one item. Coming as I do from the mufassal, I confess I know very little about the inner working of the municipality at Calcutta. But from the little experience which I have in mufassal for various works, I am sorry that I cannot be at one with the learned mover with respect to at least one item, *viz.*, communal representation.

The reasons advanced by the learned mover in support of his views are nothing new. Moreover, it is alluring to the Muhammadans in the sense that they can even get more seats than their allotted number. He who loves any other's child more than his mother is considered to be the very enemy of the boy and is looked upon with suspicion. But the moral apprehension has yet passed our minds. The learned mover has said that fanatics cannot come to the municipality if they are to come by mixed votes. Now, what is considered fanaticism by one community may be the very religious ardour in the other; one who is considered the best man may not be considered so by the other. So his coming to the municipality may be opposed. Our community is much weaker in education and wealth than the other community and is liable to more easy belief. So it may be easy for a cunning man to get their help without being a leader of the other community. Thus, it will be detrimental to the Hindus as well. As regards the Muhammadans getting more seats than is allotted to them I have only one word to say, *viz.*, that when we shall see that we shall be able to get more seats it is we who would clamour more to do away with the communal representation. The Muhammadans in the beginning were opposed to joining the Congress, but they have now joined the Congress in a body. So, when the Muhammadans will see that it is for their advantage they will refuse communal representation. I cannot refuse the special representation at this stage. Besides, we apprehend that this analogy may be carried in other public bodies as well. One of the hon'ble members has justly said that the Hindus in East Bengal are in need of special representation on the district boards, as they fail to come to the district boards by mixed electorates. This is perfectly true. So I shall not only oppose the Hon'ble Minister in charge of the Bill in his refusing special representation to Muhammadans but also ask him to extend this principle to district boards as well. Besides, the 13 seats allotted to Muhammadans, out of the total of 80, does not speak much for the loud talk of the principle of confidence and reliance, as preached by the Hon'ble Mover, because the number is neither commensurate to their importance nor in proportion to their strength so far as their voting, rating or numerical strength is concerned.

With these words, I beg to oppose the Bill.

Rai MAHENDRA CHANDRA MITRA Bahadur: We have listened to the speeches of several speakers just now. I thought that there would be no sort of disagreement in the matter in which we are vitally concerned. We are here to offer our criticisms on the principles of the Bill in a dispassionate manner. There are various principles in the Bill which I beg to submit to the Council for their consideration. The first is with reference to the question which has been put before the Council, *viz.*, as to the special electorate for the Muhammadans. I was really pained to hear the speeches of my Muhammadan friends here forgetting the principle matter, namely, that the Council is to consider whether the suggestion contained in the Bill as to the Muhammadans exercising their right of franchise, in the general electorate and not in a special one. This suggestion of the author of the Bill is quite consistent with the situation as he has understood it. It is to be noted that hitherto we are told that there is a united feeling between Muhammadans and Hindus. We have seen a Hindu in the mosque preaching about national ideas and nationalism. We have seen Muhammadans also preaching near a Hindu temple the spirit and doctrine of nationalism. Therefore, when that was the situation of political and social affairs, I submit the Hon'ble Minister who drafted the Bill was not wrong in thinking that there should be a general electorate and from the general electorate Muhammadans and Hindus should exercise their right of franchise. I beg to repeat that was the view which has been taken by the author of the Bill and I say that it is not wrong in principle. You cannot expect special electorates for every kind of association. Will there be a special electorate for every class? That cannot be. That is against the principle of Local Self-Government. Then, again, the question of a general municipal election is a very simple one. One who takes interest in sanitary matters—one who looks to the civic interest of the town or the city, one who is educated in such matters, one who has got no clashing of interests—ought to come as a member of the Corporation. I do not find there is any speciality in any class of people whether that class is composed of Hindus or Muhammadans. Why should there be a discussion in this connection. I fail to understand? Now, if a special electorate is denied to the Muhammadans, they will not be sufferers at all; 13 seats have been allotted to them in the Bill and they have every right to retain them. My friends ought to know that if there be a separate camp, political camp, education—civic education, is at an end. Let there be a competition between educated Hindus and educated Muhammadans and I believe such a competition is the only method by which the Muhammadans and the Hindus may be benefited. What is the election ground? It is the nursery of public life both for Muhammadans and Hindus. One who can secure the sympathy of the electors, may come successfully in the election, be he a Hindu or a Muhammadan. If he is liked by the electors, he is sure to get his seat in the Corporation. Every Muhammadan or a Hindu ought to try his best to be popular in

his constituency and if he does, he is sure to succeed. I do not understand why there is a difficulty on that score. It is not a matter of *zid*. It is a matter for consideration and my Muhammadan friends ought to remember that they will be greatly benefited if the system which is suggested in the Bill be acceptable to them. Then, again, we find that there ought to be sympathy between Muhammadans and Hindus. Sympathy is the golden cable which binds the Muhammadans and Hindus together. There should be a compact between them. There should be a harmonious feeling between the two communities—Hindus and Muhammadans. Why should there be a disruption? Why should they quarrel among themselves in this matter? The only question for consideration is whether the proposal made in the Bill is one which may be acceptable to the Council as a whole. It is a proposal subject to the modification by the select committee and afterwards by the Council. When I was coming from my own town to-day some body inquired from me whether there will be an intellectual fight between Hindus and Muhammadans regarding the suggestion of communal interest in the Council. Well, I never thought that at this critical time there would be a spirited discussion on the subject. I thought that everything would go on harmoniously as on previous occasions. But now I see that my friend, the inquirer in the railway train, was justified in asking me the question which has cropped up just now. I am in favour of a general electorate and not for a special electorate favouring a class of people. If we do that, political education is at an end and so civic education. I say, there ought to be a competition between all classes of people in the field of politics.

The DEPUTY-PRESIDENT: Your time is up but I allow you three minutes more.

Rai MAHENDRA CHANDRA MITRA Bahadur: I need not dilate on the subject. I have to submit to you another criticism regarding the plurality of votes. I have great doubts as to the success of such a kind of proposition. In the mufassal that practice is observed, but according to the view which I take, this practice should not be continued in these days. Property qualifications are to be inquired into and I ask the select committee to consider over the subject. I find in the Bill that that suggestion comes into bold relief. There is one other suggestion which I wish to submit, namely, that there ought to be district councils under a Central Authority. The Corporation represents the Central Authtority and district councils or district committees ought to be appointed in several places of the town for solid work. My reason is that Calcutta is a very large city. Mere delivery of speeches in the Corporation Hall will not be quite sufficient to meet the purpose for which this Bill has been drafted. It is for the select committee to consider whether such district committees may be appointed. In the Bengal Municipal Act there is a section by which the ward committees

are appointed. The ward committees are in touch with the central committee, *viz.*, the committee of the commissioners. Probably this suggestion may be accepted by the select committee and in this view probably the Bill may be redrafted, but this is a mere suggestion; I leave it to the select committee to consider. There are various other matters which I would have referred but as there is no time at my disposal I think it is better not to trouble the Council any more.

Maulvi FAZLUL KARIM: I rise to say a few words on the general principle of the Bill so far as it concerns Muhammadan representation. The Bill as it stands is an improvement indeed upon the present Act on the consideration that it reserves some seats for Muhammadans which they could not aspire to get from a general electorate without such reservation, as is evident from the past histroy that in spite of an eager anxiety for Hindu-Moslem unity, not a single Muhammadan was elected during the past few years when the cry for Hindu-Moslem unity was rending the sky. It is to be regretted that in these days of national rising, men like Maulvi A. K. Fazl-ul Haq Sahib, for whom the Hindus have no less regard as a leader of Bengal, has to come to the Corporation by the back door of nomination. What do we learn from it? It clearly demonstrates that the Hindus have not as yet shown in practice that they have the same interest and stake in the country as the Muhammadan which argument the former are so fond of urging when any question of deviation from present policies by Government arises. It is a common instance throughout Bengal; Hindu voters very rarely vote for Muhammadans in all the local self-governing institutions of this province. The policy of give-and-take is nice and very easy to say, but is there any instance in which the Hindus have condescended to observe that policy? The so-called improvement is an improvement only in quantity and not in quality. The Hon'ble Minister warns us against introduction of any extremist element in the Corporation which gives rise to serious apprehensions in our mind about any chance of safeguarding our interest in the Corporation. We are extremists, indeed, when our religion and communal interest are concerned, and we want to remain such so long as we are Muhammadans. But the Hon'ble Minister, in his excess of love for the country, wants to shut the door against us by leaving us at the mercy of the Hindu voters who are and will be overwhelming in number. The result will be that the Hindus will elect the members of the general constituencies and the Muhammadans as a body shall have no voice in sending their representatives to safeguard their interest. We, Muhammadans, are here in the Council from special electorates and during this one year of the introduction of the Reform Council, did our Hindu brethren find any instance of our fanaticism on any question of common interest? Then, where is the fear of our Hon'ble Minister for any fanatic element in the Corporation from special Muhammadan electorate? His fear is only illusory and from timidity in the desire for seeing his prophecy of restoring the inestimable boon of Local Self-Government to

the city of his birth fulfilled within the shortest possible time. What a cruel and mischievous policy it is to compel one to follow a policy of life different from his own to please the stronger community to enable him to be returned in any public body. The Hon'ble Minister has devised a very nice scheme to strain off those who do not think with him and force those to come to his side for a seat in the Corporation. Alas, the pruning knife cannot be applied to the non-co-operators! Is it only for the satisfaction of the members returned that this policy of mixed electorate is to be welcome or for the satisfaction of the community whom they will pretend to represent? They will be their own representatives only and they shall have no confidence of the Muhammadan community as a whole. This policy will create a split in our own camp which no serious lover of the country should encourage. From our backwardness in education we are no match for the stronger community and it is wise and just to let us compete amongst ourselves lest we should be annihilated in the general strife.

Then, Sir, about the number of seats for Muhammadans, I submit, that is too small to safeguard our interests in the Corporation. From past experience it is evident that no Muhammadan will get preferential vote from Hindu voters and any chance of getting an additional number of seats over and above the reserved seats is out of the question. The Hindu community is much advanced and it is fair to allow us an opportunity to train ourselves in local self-government by allotting more seats for us in the Corporation. Further on any communal question which is sure to arise in the Corporation, 13 out of 55 members is too inadequate to safeguard the Muhammadan interests. I do not grudge that 12 seats have been given to the European community, but is it fair to allot only 13 seats for the Muhammadans, the sons of the soil? If the Hindu community really want to co-operate with us and lend us their helping hand, I hope they will allow us 30 per cent. of the whole or 40 per cent. of the general constituency to be returned by separate election.

Adjournment.

The Council was then adjourned to 3 P.M. on Wednesday, the 30th November, 1921.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met at 3 P.M. on Wednesday, the 30th November, 1921, in the Council Chamber in the Town Hall, Calcutta.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 93 nominated and elected members.

The New Council Chamber.

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Henry Wheeler): With your permission, before the resumption of the debate to-day, I should like to make a short statement on a matter of public interest.

It will be within the recollection of the Council that a site committee, over which I had the honour of presiding, was appointed some months ago to make recommendations in respect of the site of the new Council Chamber. A report was submitted and Government passed orders thereon, after which steps were taken to call for designs for the building itself. On the 1st December, 1920, a notification was issued inviting competitive designs both in Great Britain and in India for the proposed new Council Chamber in Calcutta. Prizes of £500, £250 and £100 were offered for the designs placed first, second and third respectively by the assessor, and necessary information was given to competitors to enable them to draw up their plans. These designs have now been received and have been examined by Mr. Crouch, who, under the same notification, was appointed to be the assessor. Mr. Crouch, as the Council doubtless knows, is the Consulting Architect to Government. Mr. Crouch has now reported, and I hold here his letter of yesterday saying—"I consider the design bearing the distinguishing mark 25 to be the best solution of the conditions of the competitions, and I place the author or authors of that design first. I place the author or authors of the design marked 2 second, and I place the author or authors of design No. 40 third." We now have to open the sealed envelopes which I have here bearing these three numbers, and I propose to do so in the adjoining room if one or two members will kindly attend as witnesses. We will then know the names of the author or authors of the successful designs. All the designs have been placed on view on the basement floor of this Town Hall, and Mr. Crouch hopes to throw the exhibition of them open to the inspection of the public next Monday. Meanwhile, if any member of this Council wishes to go downstairs and have a look at them he is perfectly welcome to do so.

Government Bill.

The debate on the Calcutta Municipal Bill, 1921, was resumed.

The Calcutta Municipal Bill, 1921.

Mr. D. J. COHEN: I join with my friends in congratulating our Minister for having brought in the Municipal Bill based on such democratic and wide lines. To make the Corporation once again the sole and paramount authority in all matters of administration is a step in the right direction. The principle underlying the lowering of the franchise is certainly very commendable, but in the practical working of it, I have great misgivings. Until and unless you educate the masses, by giving them at least primary education, you cannot expect them to appreciate the boon you are placing at their disposal. Turning to the question of Muhammadan representation. Personally, Sir, I am not in favour of communal representation, and especially if it is conceded to one community to the exclusion of others, as this is likely to create jealousies which cannot tend to the public good.

I differ from my friends who advocate the extension of the municipal limits of Calcutta at the present time. The finances of the Corporation hardly enable it to cope with the various calls on its purse and I think it would be unfair to the people of these particular areas if we include them against their will, without being able to assure them of any benefit that will accrue thereby. Let us improve our own areas to an appreciable extent before we ask for more. I draw your attention to the present state of some of the roads and drains in wards Nos. 19 and 20 (Entally and Baniapukur wards). They are such that a mufassal municipality would not be proud of, and the only hope of the residents there is, that at some future date, God knows when, the Improvement Trust are expected to carry out their schemes of improvement. In the meantime they have to accept the situation as they find it. With a knowledge of these facts, should we include the areas referred to?

Rai JOGENDRA CHUNDER GHOSE Bahadur: It is with feelings of thankfulness that I welcome this Bill. The history of the Mackenzie Act has already been related to you by the Hon'ble Sir Surendra Nath Banerjea. Mr. Kali Nath Mitter, the leader, the strong man of the Corporation, proposed a vote of censure on Sir Alexander Mackenzie——

Mr. HUSEYN SHAHEED SUHRAWARDY: I rise to a point of order. The Hon'ble Member's speech has already appeared in to-day's *Bengalee*. Is he in order in repeating it here?

Rai JOGENDRA CHUNDER GHOSE Bahadur: I am not delivering that speech. An advance copy of my speech was sent to the *Bengalee*. Notwithstanding the fact that I asked the reporter to publish it after it was delivered in the Council, he has, by mistake, published it to-day.

I welcome the Bill. The Hon'ble Sir Surendra Nath Banerjea has already told you the circumstances under which the Mackenzie Bill came into existence. Babu Kali Nath Mitter, the leader, the strong man of the Corporation, proposed and my humble self seconded the vote of censure on Sir Alexander Mackenzie and it was carried unanimously both by Europeans and Indians. Englishmen were noble and generous at that time and Sir Alexander Mackenzie sent me a certificate of honour, soon after, for my good work in the Municipality. Sir Alexander Mackenzie shortly after brought out his famous Bill and 28 of us resigned. Many of those returned, but some of us stuck to our guns. Many of them have since died. It must therefore be a source of great gratification to the Hon'ble Sir Surendra Nath Banerjea at his triumph. It has been his privilege to be able to bring out a piece of legislation far in advance of the old Act. I must say in justice to our opponents that Calcutta has greatly advanced since that time. But the people of India also have greatly advanced in political ideas. Therefore, an Act granting advanced political freedom was urgently called for and I congratulate the Hon'ble Sir Surendra Nath Banerjea on his bringing out this measure. It is of so advanced a character that even I, who am not regarded with much favour by Government and certain Englishmen ("No," "no"), because of my opinions, am diffident of its success. Absolute freedom of European control over the affairs of the municipality may prove disastrous, but if it succeeds, it will prove the fitness of the people of India for absolute Self-Government. Let us try the experiment. ("Hear," "hear.") There are certain defects in the Bill which can only be mentioned, but cannot be gone into here. The Indian mercantile community and the University have been excluded from representation. How they have been excluded by the Hon'ble Sir Surendra Nath Banerjea, who was all his life professor of a Calcutta College, is inexplicable. I would also give two or three seats to Jews, Armenians, Anglo-Indians and the Domiciled Community, with whom I and this Council have always been friendly, though I have read in to-day's papers that they are threatening to play hell with their fellow subjects ("Shame," "shame.") I would not ignore the Indian Christians also.

I am conscious of the fact that Calcutta was founded and developed by British merchants and if they ask for a greater amount of representation, I may not be inclined to oppose them; but all these communities must have representatives in the same way as the Muhammadans and not by communal representation.

This brings me to the question of communal representation. My Muhammadan friends demand communal representation. I am opposed to it. Some of them may consider me as anti-Muhammadan, but is there any man here who has more sincere friends among Muhammadans, who had been my friends in need, than myself? I am not ungrateful and I have proved it by my conduct. Public weal demands that they should not get communal representation. My friend, Mr. Nasim Ali, told us

yesterday, that the Hindu-Muhammadan entente as adumbrated by the Congress and the Khilafat Committees was an unreality. Neither Mr. Nasim Ali nor Mr. Suhrawardy belongs to the Khilafat party.

Mr. HUSEYN SHAHEED SUHRAWARDY: May I rise for a personal explanation? I never made any insinuation.

Rai JOGENDRA CHUNDER GHOSE Bahadur: You referred to the Khilafat. What right have these gentlemen to speak on behalf of the great Muhammadan community? They are, as is well known, in a hopeless microscopic minority.

Mr. HUSEYN SHAHEED SUHRAWARDY: Certainly a better right than you have.

Rai JOGENDRA CHUNDER GHOSE Bahadur: If the Khilafat party had said so, it would have been a matter of consideration, but the opinion of the microscopic minority, who had always been against the Hindu-Muhammadan entente, cannot be entertained. Muhammadans have proved themselves a noble and generous people. A change has come over their minds. Noble and generous men among them have gone so far as to say that they would avoid the slaughter of cows in order to please their Hindu brethren. To this these gentlemen will never agree.

Mr. HUSEYN SHAHEED SUHRAWARDY: How do you know?

Rai JOGENDRA CHUNDER GHOSE Bahadur: Mr. Nasim Ali said so. Therefore, I wish my Muhammadan friends to consider the question well. According to the proposal of the voting strength, they are entitled to 6 seats. The Hon'ble Minister has given them 13. They would not gain by communal representation. Again, I tell you why I am opposed to communal representation. Hindu members should seek for votes from their Muhammadan brethren; similarly Muhammadan members should seek for votes from their Hindu brethren. That is the only way of securing political amity between Hindus and Muhammadans. Class against class should never be pitted against one another. I find that isolation and separate communal representation keep up racial animosity and always lead to disunion and strife. The fact was never well expressed than by our common phrase *Bhai bhai, thai thai* (brothers remaining apart.) Those gentlemen who demand communal representation and isolation are certainly not the best friends of Hindu-Moslem amity. I, in all earnestness, ask my Muhammadan brethren to consider the situation well. India is large enough for all communities and religions to live in, provided they live in amity and brotherly feeling and that one community do not seek to dominate over another. ("Hear," "hear.") I was surprised to find Kumar Shib Shekhareswar Ray, who prides himself in declaring that he is a nationalist, supporting communal representation but I dismiss him with one word—he does not belong to the Congress. Therefore, he has no right to assume that character.

Kumar SHIB SHEKHARESWAR RAY: May I rise to give a word of explanation? He seems to know more about me than myself.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I and many members here may be prepared to support the Muhammadans in any reasonable demand that they may make for a larger number of Councillors, but we can never agree to the kind of special communal representation some of the Muhammadan members seem to favour. I do hope there will be a satisfactory solution of the difficulty. The Bill is a lengthy one and this is neither the time nor the occasion to discuss it in detail. But one or two things must be mentioned here. Clause 9 of section 6 should be a general section: education—general—and not merely primary and technical education. All the wealth of the province is centred in Calcutta. Therefore; it should not forego its responsibilities as regards higher education.

Clause 6 of the same section should include refuges for the poor children and unfortunate repentant women.

The building regulations should be less stringent. These are some of the things which I desire to mention here.

In conclusion, I again ask my Muhammadan friends to consider whether Hindu-Muhammadan friendship is not worth a great deal more than a few seats in the Calcutta Corporation? I conclude by expressing my gratefulness to the authors of the Bill.

Khan Bahadur KHWAJA MOHAMED AZAM: As enough has been said, I do not like to make a long comment on the Calcutta Municipal Bill. The bone of contention in this Bill is the matter and the manner of representation in the Corporation. The Hon'ble Minister has given the unlucky number 13 sure seats and has opened the other 42 seats also, if only the Muhammadans could get in. He has agreed that the Muhammadans should have more, but owing to the uncertainty as to what success the Muhammadans will have in capturing any of the 42 seats he has not done so.

I may safely say that the real number of Muhammadan seats is not fixed, but this is an important matter. The Muhammadans should have about 30 per cent. of the total number.

As for the manner of representation, allow me to say, that Muhammadans would agree to nothing which does not give them separate communal representation in the Corporation and also in other local bodies. When that is a fact, will it be wise on the part of the Government to ignore the Muhammadans?

There will come a time when the Muhammadans will not want separate communal representation; let the Government then do away with it and never before that.

Mr. BIJOY PROSAD SINGH ROY: I had no intention of taking part in this debate and I would have been glad to leave it to those who

are conversant with the problem of municipal administration of this city and I think that this would have been the attitude of the majority of the mufassal members regarding the debate over the Calcutta Municipal Bill. But there is the most unpleasant question of communal representation. It is a question fraught with an issue which is so far-reaching in its consequences that no member of this House can conscientiously give his acquiescence to it without sounding a note of warning. It is a principle which, if pressed too far, will only create a complete cleavage between the two communities whose interest it is to live in perpetual harmony and to present an united front to anything which may hamper the development or the growth of our political aspirations.

I must say that I was sorry to hear the speech delivered by Mr. Nasim Ali on behalf of the Muhammadan community last evening. I was really mortified and so, I am sure, were also most of the Hindu members of this House. The hon'ble member said that the Hindu commissioners in the Calcutta Corporation could not be trusted with the interests of the Muhammadan community. This is news to me. I have been born and brought up in the city of Calcutta and I know that the Hindu commissioners are as much anxious for the interests of the Hindu citizens as for those of the Muhammadans. I am almost tempted to ask Mr. Nasim whether the time has not come when the Hindus should be trusted by the Muhammadans and when he and his colleagues in this Council and outside it should not advise the members of his community to forget the old mistrust and hatred for the Hindu? I appeal to the Muhammadan members of this House, who have greater experience of life and much older than me, that this should not be made an opportunity to revive the old antagonistic feeling between the Hindus and Muhammadans of the partition days.

This question of communal representation should not have been raised at all. This is a very unhappy question. I fail to appreciate the arguments of Mr. Nasim Ali and his friends that, because communal representation has been thought to be useful to the Legislative Councils and elsewhere, it should be thought to be useful for the Calcutta Corporation. Rai Radha Charan Pal Bahadur, a veteran commissioner of the Calcutta Corporation, has given us assurance that there will be no lack of interest on the part of Hindu commissioners for their Moslem brethren; I think this should be enough to satisfy my Muhammadan friends. If they, after considering the question closely and calmly, still maintain their claim for communal representation, I would beseech the Hindu members not to stand in their way. We should yield on the ground of expediency. But we shall not exercise our right of voting on this point. Let the Muhammadan members of the House decide it among themselves. If they insist on having communal representation, let them have it.

Babu NIBARAN CHANDRA DAS GUPTA: I deplore the acrimonious spirit that has been brought into the debate on this subject. It would have befitted this Council, if there were more reasoning, more logic, than heat.

I cannot but congratulate the Hon'ble Minister in charge of the Department of Local Self-Government for his bold and statesmanlike performance in the shape of the draft of a Bill of such tremendous magnitude, and with such vast potentialities for the future well-being of millions of men residing in the second city of the Empire. I have followed very closely his lucid statement in introducing it. This is surely not the stage (even if I had the power) for considering the details of a piece of legislation of such a gigantic proportion. But I have been struck by the very momentous and far-reaching constitutional changes that have been introduced in the Bill, upon the most approved liberal and democratic lines. In fact, it has been said, with great truth, that the municipal institutions constitute the best nursery and seed-plots for developing the instincts for Self-Government which cannot be substituted by good and efficient Government. I remember the fierce controversy that raged round the Calcutta Municipal Bill, 1899, when it was on the legislative anvil. The measure was considered as a decidedly retrograde one, introduced to deprive Calcutta of a good deal of her civic rights. The fierceness of the controversy was emphasised by the resignation of 28 members (including the venerable Minister himself) and the platforms rang with denunciations and even the theatres gave artistic expression to the feelings of the Calcutta citizens by staging the "Brave Twenty-Eight," the skit emanating from the pen of one of our most popular dramatists and comic writers. But by a curious irony of fate, the present Bill is the hand work of one of those 28 commissioners, who raised his trumpet voice in denouncing the measure and in opposing the Bill, which was eventually passed into law.

But the Hon'ble Minister has been an optimist throughout his fairly long political career and impelled by his natural optimism and rather a dangerous tendency towards prophesying (being a Brahmin) he prophesied that the retrograde piece of law was bound to be liberalised at no distant future and the present Bill shows how that prophecy is going to be fulfilled. The old order changeth yielding place to new. The whirligig of time has brought about its revenge. The new features, which cannot fail to strike even a casual reader of the Bill (as far as the constitutional changes are concerned) are:—

(*1*) the fullest recognition of the principle of representation and the expansion of the Franchise;
(*2*) the increase in the number of commissioners from 50 to 80;
(*3*) the appointment and election of Mayor or Deputy-Mayor;
(*4*) separate executive and its subordination to the Corporation;
(*5*) introduction of Aldermen and their election; and
(*6*) the Standing Committees for study and advice.

Under the existing law, our Muhammadan fellow-brethren have little or no chance of entering the Corporation by the open gate of election and have to depend upon the back-door of nomination for their entry. Now they can come by election, by the general electorate and the principle of communal representation, so much desired by the Muhammadans, and codemned by sober politicians as opposed to the growth of "nationhood" irrespective of caste, colour or creed, has not been recognised.

Now, Sir, the controversy in the present Council is about communal representation. It is a pity that this question should have been raised at this stage of the consideration of the Bill. There is no denying the fact that the great majority of my Muhammadan colleagues in this Council wants communal representation, that is to say, not only in the Corporation of Calcutta but in all local bodies—a danger which the Hon'ble Minister has already pointed out in his speech, while introducing the Bill the other day. He said—

> Should we then make this new departure? The matter requires the most careful consideration. The gravity of the problem is enhanced by the consideration, that if it is adopted in the municipal system of Calcutta, it will have to be extended in the near future to the mufassal municipalities and, perhaps, to the district boards of the Province; and the amendment of the Bengal Municipal Act is imminent and that of the Self-Government Act is not distant.

I think that it is the thin end of the wedge. If communal representation is once allowed in the city of Calcutta, it cannot be resisted in the mufassal. I ask my Muhammadan friends in this Council to think over the matter seriously and consider whether they should not sacrifice a bit of their feeling in view of the goal which we have in view. If this principle of communal representation is adopted in Calcutta, I fail to see where it would stop. If this privilege is allowed to the Muhammadans, I cannot understand how it can be denied to the Jains, who constitute a very large section of the Calcutta public, to the Marwaris, who by their wealth and influence, occupy a very important position in Calcutta, and to the Christians, who are no doubt in a minority. We should be put on a common platform, to constitute a nation and march onwards towards the goal. It has been said that communal representation may not be good as an abstract principle. Abstract principles do not fall down from the sky. They are educed from concrete cases and the actualities of life. Such abstract truths are enunciated by political philosophers. If you adopt the communal representation you cannot form a constitution on a proper, liberal and democratic basis. It is not because the people have high ideal that they are to be dubbed as "idealist." We want that all the communities living in India should have a proper representation.

With these words, I express my hearty appreciation of the principles underlying the new Bill that has been introduced by the Hon'ble Minister.

Maulvi YAKUINUDDIN AHMED: I am thankful to the Hon'ble Minister for his having introduced this Municipal Bill and for having made provision for the representation of the Muhammadans to the number "13." The very fact that he has made provision in the Bill for giving 13 seats to the Muhammadans is an acknowledgment of the principle of communal representation. And when he acknowledges this principle, I think it is not meet for him to go against this principle of communal representation. He has in his speech said—

I now come to the very difficult and delicate question of Muhammadan representation. It must be admitted that the Muhammadan community is not represented in the Corporation as it should be and in a manner commensurate with its influence and its importance. This is a state of things which should be remedied on the principle of equal justice to all parties, which is the recognised policy of Government.

He also says—

And here I desire to apply the principle which is followed by Government in the nomination of municipal commissioners in the mufassal. It is a triple formula that we adopt.

If he says that he has reserved 13 seats for Muhammadans, what is it? Is it not the recognition of the Government policy of supporting Muhammadans, who are in a minority? Is it not the policy that has been inaugurated in this Reformed Council here, and do we find the result in any way bad? I think the Council ought to be successful in the way it has begun and in the way in which Muhammadan members have come to this Council. It is only this Reformed Council which has made it possible for the Government to be aware of the grievances and the many shortcomings from which this community suffer. It is only through their accredited agents in this Council that the Government come to know of the various necessities of the community. The authors of the Montagu-Chelmsford report, with their ideas of English freedom and homogeneity in their lands, may have declared that communal representation was a very bad thing, but I think time will show that communal representation in India is the very best thing that can be devised by Government to know the views of Muhammadans in this vast country. Therefore I say, when the Hon'ble Minister has reserved 13 seats for Muhammadans, he has recognised the principle of communal representation. Then why does he go against that and say—

Let us hear what the authors of the Reforms Scheme have got to say about the matter. The Montagu-Chelmsford Report observes.—"Indian lovers of their country would be the first to admit that Indians generally have not yet acquired the citizen spirit and if we are really to lead her to self-government we must do all that we possibly can to call it forth in her people. Division by creeds and classes means the creation of political camps organised against each other and teaches men to think as partisans and not as citizens, and it is difficult to see how the change from this system to national representation is ever to occur. We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle. The evils of any extension of the system are plain."

These are the words of the Montagu-Chelmsford report. But what did they end in practice? When the Indians sat at a conference at Lucknow, what was the agreement arrived at? The Muhammadans were to be given a separate electorate to the extent of 48 per cent. That was what they adopted in the end, and that was inaugurated by the Reformed Council all over the land, and what has it done? Are the Muhammadans who have been returned to this Council fanatical ruffians? Are they in any way behind in the race for progress? I ask the Council to consider this question seriously, and I pause for a reply.

It has been said that it is not Maulvi Nasim Ali but Khan Bahadur Jogendra Chunder Ghose (Laughter)—I beg the member's pardon, I meant Rai Bahadur—who represents the Muhammadans. I request you in all seriousness to consider the fact that, at the All-India Conference at Lucknow, it was decided that the Hindus and Muhammadans should go to the Reformed Councils by separate electorates. If there is communal representation at the very top, I mean in the enlarged Council which, according to the Hon'ble Minister, is a golden turret, I fail to understand why it should not be applied to the lower strata where it is the seed-plot? Mr. Gladstone says—

> Municipal institutions are the seed-plots upon which and around which are developed those habits of thought and that temper of mind which constitute the noblest heritage of a nation.

And still do my Hindu friends desire to exclude Muhammadans from the municipal or district boards? I think that, if the Muhammadans cannot enter into the above boards by the door of the mixed electorate, they should be allowed to enter through a separate electorate or communal representation. If communal representation has succeeded at the very top, at the golden turret, according to the Hon'ble Minister, it must succeed at the bottom, in the district boards and municipalities. The Hon'ble Minister apprehends that if communal representation is adopted in the municipal system of Calcutta, it will have to be extended at no distant date to the mufassal municipalities and, perhaps, to the district boards of the Province. I submit that Government have seen the wisdom of the policy which they have inaugurated and which is working well in the land, and there is absolutely no reason why that policy should not be followed in every respect in the institutions lower down. Therefore, I think that communal representation is a necessity at the present moment. Through it the Muhammadans will be allowed to enter into the portals of the Calcutta Municipality where they will be able, as Mr. Gladstone says, to develop those habits of thought and that temper of mind which constitute the noblest heritage of a nation. Are you going to deny us that privilege? I do not think any sane man would do that, and I hope and trust the Hon'ble Minister would see his way to give us with a liberal hand a separate or communal representation on the Calcutta Corporation. A Muhammadan may very well be

elected by the general constituency, *i.e.*, both by Hindus and Muhammadans, but he is not a proper representative Muhammadan. Proper representatives would be those who are recognised by the Muhammadans themselves as such and not by the Hindus. We want a true Muhammadan who ought to be on the Corporation to acquire that thought and temper of mind which is the noblest heritage of a nation.

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): With your leave, I desire to intervene at this stage to bring to the notice of the Council an important aspect in connection with a question of procedure relating to the discussion of the Bill. I am afraid many of my friends who preceded me have rather overlooked this question of procedure.

I can well appreciate that speakers on either side would feel strongly on a question like this and that some of the Muhammadan members would feel the necessity of entering a strong caveat at this stage. I sympathise with my Muhammadan friends and specially with those of them, who think that their interests at the Corporation can only be safeguarded by means of communal representation. I can equally appreciate the feelings many of the members of the Council who think that communal representation will retard the development of national ideals. It is but natural that speakers from either side should get up and press their own point of view before the House. But although it would be a natural attitude to take, I appeal to the members who yet intend to take part in this lengthy debate to refrain from doing so at this stage of the Bill.

What is the present motion before us? The present motion is that the Bill be circulated. We shall have another opportunity for debate, perhaps a full dress debate. But even now feeling runs so high that it was considered necessary to enter a strong caveat. That caveat has been entered, why prolong the bitterness? The Hon'ble Minister in charge of the Department of Local Self-Government, in explaining the principles of the Bill, put forward his reasons as to why he was against communal representation, and, if I may say so, it was perfectly right that my friend Mr. Salam should get up and protest against some of the provisions, and I am afraid I cannot appreciate why a division was called for at that stage.

The debate has been going on from yesterday, and I cannot say that it has altogether been free from acrimony. I freely acknowledge that many speakers on both sides have spoken with the utmost moderation and self-restraint, but the fact also remains that there were speakers who did not observe moderation in their remarks. The present motion is that the Bill be circulated for eliciting public opinion thereon; after that, there will be the Select Committee stage. Then the Bill will be taken, clause by clause, before this very House. The question is certainly an

important one; but will anybody gain anything by introducing unnecessary heat into the discussion at this stage. Will either community gain anything by starting this quarrel prematurely? I fully appreciate the importance of the view put forward by members on either side, but we have been debating over this question the whole of yesterday; we have started the debate again to-day and I understand there are still more than a dozen speakers who wish to speak on the subject. But I appeal to them not to speak any more. It would only make the matter more difficult of solution. It would be difficult to come to a compromise, if you go on quarrelling at this initial stage. If a compromise be impossible now, even then you have the final stage to fight it out. We know in the past between two somewhat heterogeneous bodies, namely, the Indian National Congress, of which I was a member for many many years, and the Moslem League, the question of communal representation was settled for the whole of India and the different provinces in a spirit of compromise and toleration.

These bodies, although they are very important bodies, have not the same well-defined constitution as this Council has, and in that sense, they are heterogeneous bodies as compared to this House. Surely, is it not possible, is it too much to expect that the members of this House, who have come here on the free vote of their constituencies, should give up bitterness and should meet each other, consider and settle this matter in a spirit of friendliness and compromise? ("Hear," "hear.") If that be the desire of the members of the House, then the best thing they could do is to drop the debate. They have entered their protest, their caveat is there. You may start talk of compromise to-morrow; and speaking for myself, I may assure my friends on both sides that I shall try my best to bring about a compromise, whatever the differences on the subject may be. (Hear," "hear.") I think, I can speak on behalf of the Hon'ble Sir Abd-ur-Rahim, whom, unfortunately, I do not find here that he will also try to help us; and I am sure my friends, the Hon'ble Nawab Saiyid Nawab Ali Chaudhuri and the Hon'ble Sir Surendra Nath Banerjea, will also join us and try to bring about a compromise. I appeal to the members of this Council—let there be no further speeches, and let the question be put and passed without a division. There are persons in this Council who have no self-interest in this matter—they are third parties so to say—I refer to Mr. Watson-Smyth and his party. If necessary, we may call them in to help us although I sincerely hope it will not be necessary to do so. I once more appeal to the House to drop the debate.

Babu TANKANATH CHAUDHURI: In view of what the Hon'ble the Minister in charge of Education has said, I beg to move that the question be now put.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I think that the principles of the Bill should be further discussed. I now call upon Mr. Watson-Smyth to speak.

The Hon'ble Mr. P. C. MITTER: As a member has asked that the question be now put, may I inquire whether the Chair has considered it?

The DEPUTY-PRESIDENT: Yes; the discussion should continue.

Babu SURENDRA NATH MALLIK: I rise to a point of order. The Deputy-President has already passed his order that the discussion should continue and it cannot be re-opened.

Mr. R. M. WATSON-SMYTH: My first words must be ones of congratulation to my friend the Hon'ble Mover on the production, so soon after his accession to office, of this most important Bill. It is indeed a weighty piece of legislature, sufficient in size to appall even the stoutest-hearted of the Select Committee appointed to deal with it. It is, as I said, a Bill of great importance, and in passing, I will ask the Minister in charge to give plenty of time for deliberate consideration to those whose opinion he wishes to ask. If the opinions of public bodies are to be worth having, they can only be given after considering the Bill and all its 500 clauses very carefully, and to do this, especially in the pressure of work of the Calcutta cold weather, plenty of time is required. I will, of course, support the motion that this Bill be referred, as it is, to a Select Committee, and I do not propose at the present stage to criticize it in any way at all. Criticism at present seems to me to be somewhat premature, and there will be plenty of time later for all to say anything they have to say, and, if necessary, to try and get the Bill amended in accordance with their wishes.

Indeed, Sir, I would not have spoken at all except that the debate has brought very prominently into notice the question of communal representation, and I think it as well, at this stage, if I tell the House what the view of the Bengal Chamber is on this subject. The Hon'ble Minister in charge in his opening speech referred at great length to communal representation and quoted several passages from the Montagu-Chelmsford Report thereby striving to prove that communal representation is bad and stands in the way of any great national effort. I do not quarrel with the ideal which he put forward: I do not dispute that if communal representation could be done away with, it would mean that India had advanced to a far higher plane than that on which she stands at present. I do not for a moment deny that the state of brotherhood, as described so eloquently by the Hon'ble Mover, is the goal to which we should all strive. I am presuming of course that that brotherhood includes us, Europeans, although, I regret, that no speaker has so far said so. There can be no doubt that the ideal state of things would be a triangular contest with a Hindu, a Muhammadan and a European candidate, with a certainty that the most qualified, most representative and the best man, would win. We cannot, however, blind ourselves to

present conditions. The ideal described by the Hon'ble Mover is impossible under the existing state of things. That it will come in time, we all hope. That it is not possible at the present we are all perfectly aware in our hearts. The only protection for minorities, the only chance of them not being swamped at the polls is, in our opinion, communal electorates. We, Europeans, fought for that in the Reforms Scheme, and we carried our point, and nothing has arisen since to make us change our minds.

As regards our representation under this Bill I have nothing to say at the moment, except that I do not consider that seats given to the Chamber of Commerce or the Trades Association constitute communal representation at all. It is the representation of certain large interests given in a way which practically amounts to nomination. I do not say, that we, Europeans, want a communal electorate under this Bill, personally I do not want it, but when my Muhammadan friends raise this point of communal representation then I must say that in theory we support them. If they want communal electorates, being dissatisfied with the alternative offered them in the Bill, then they should have them. The time has not yet come to give up that system which is a powerful protection to communities which are in a hopeless minority.

At the same time I would warn my Muhammadan friends that a communal electorate constitutes a possible danger as well as a blessing. They have Extremists in their community who might obtain control over a communal electorate, but would have little chance in a general electorate. That, however, from my point of view is their business, and not mine. In the abstract I support communal representation, if any community hopelessly in a minority demands it, and if in future stage of this Bill, the Government fail to convince the Muhammadan community that their interests are safeguarded by the Bill as it stands or as it may be amended, and if my Muhammadan friends insist on communal representation and carry this demand to a division of this House, I and my colleagues from the Bengal Chamber will go into the division lobby with them.

Colonel A. J. PUGH: While not wishing to detract in any way from the credit that is due to the Hon'ble Minister and the officers mentioned by him for the work done in connection with this Bill, I think that some credit should also be given to the much-abused Corporation at whose instance it has been introduced. ("Hear," "hear.") In this year 1918, a Bill, which had been prepared so far back as 1911 or 1912, was submitted to the Corporation for consideration. It considered that Bill which had been sent to it and drew up a report recommending the constitution which is now put before you; and this was done before the Government of India Bill was either passed into an Act or even considered by the Joint Committee of both Houses of Parliament; and the proposals of the Corporation are the basis on which the present Bill has been framed.

I desire to say a few words in connection with four points; they are—

(1) the extension of the boundaries;

(2) Muhammadan representation;

(3) European representation; and

(4) a few matters that might have been included in the Bill.

As regards the present boundaries, the municipalities with which we are concerned are the municipalities of Garden Reach, Maniktalla and Cossipore-Chitpur. The boundary line on the South is an imaginary line extending across the water of the Docks. The Conference, which was held to prevent the importation of diseases, recommended that the Docks should be brought within the jurisdiction of the Calcutta Municipality. Water is supplied to the ships by the Calcutta Municipality, and there is every reason why the Docks should come within the jurisdiction of Calcutta. Then, as regards Maniktalla, the Corporation of Calcutta desires to spend money for improving the health and sanitation of this adjoining municipality, and a visit to this municipality will convince any one that it is absolutely necessary to Calcutta that this municipality should be brought within our jurisdiction and the municipality properly drained and residential accommodation provided for the overcrowding in Calcutta.

As regards the Cossipore-Chitpur Municipality, the Talla station is situated on land within the jurisdiction of the Calcutta-Chitpur Municipality and both municipalities have been engaged in fighting a case at the ratepayers' expense up to the Privy Council on the seemingly unimportant question as to whether the tank is machinery. I am glad that this litigation has now come to an end and that no further demand will be made on the ratepayers. Then again, I need only point out the large but filthy area occupied as the Cattle and Horse Market. Here is an enormous area awaiting development but the owners of these lands say that they prefer to have it occupied by cattle and horses instead of by human beings. It is highly objectionable to have a well-drained and healthy city like Calcutta surrounded by unhealthy and badly drained municipalities whose inhabitants have all the amenities of Calcutta during the day without paying any taxes and are at perfect liberty to import as many diseases and insects as they please. What is the answer to the proposals? The residents say that their taxes will be increased, but it has been shown that the increase will be very slight and the municipalities concerned say that they will lose a portion of the revenue if these areas are removed from their jurisdiction. The municipalities concerned are unable to improve the sanitation of these areas and, therefore, they cannot complain if they are made over to the Calcutta Corporation who are willing to spend money upon them. And what is the answer of the Hon'ble Minister? His sole reason for objection is that the residents do not agree to the change! In this connection, I would like to refer

to the Hon'ble Minister's remark in his opening speech which reads as follows:—

> The time for the revision of the Act soon drew near, and when it was revised in 1888, the suburbs were included within the Calcutta Municipal areas. The measure gave rise to some little agitation, but the boon was soon recognised.

I ask the Hon'ble Minister to repeat the experiment and insist on the people concerned accepting the boon which the Calcutta Corporation desire to confer upon them.

I next come to the question of Muhammadan representation. The Corporation decided to support communal representation, but were against a special electorate, on the ground that there was hardly any occasion on which there would be a diversity of religious interests in municipal affairs. I feel bound to point out, however, that since that time two important events have happened. One is the passing of the Government of India Act which has recognised, whether rightly or wrongly, the principle of communal electorates. The other event is the persistency with which a resolution has been moved by the Corporation to prohibit the slaughter of cows. This is a matter upon which real Muhammadan opinion should undoubtedly be heard and I think that our thanks are due to Babu Amulya Dhone Addy for bringing the question of the possibility of the diversity of Hindu and Muhammadan interests so prominently and promptly before us.

As regards European representation, I have always been a strong advocate for communal representation for Europeans, owing to their unique position and our desire to see that the high character of the administration is maintained. I, however, am not in favour of the whole of the European special representation which has been granted, being given to institutions like the Bengal Chamber of Commerce and Trades Association. While not wishing to detract in any way from the good work which has been done by Members of these Associations sitting on the Corporation in the past, I venture to suggest that this good work could also be done by Journalists, Doctors, Engineers, Educationists and even Lawyers. The Chamber has always found a difficulty in getting members to agree to sit on the Corporation. The European General Electorate will have no such difficulty and on behalf of the Europeans I represent, I demand that a portion of the seats reserved for these two Associations should be thrown open to the general body of Europeans. When this principle has been recognised by the Government of India Act, I do not see why the local Government should ignore it in the present Act.

I next come to a few matters which I should like to have seen embodied in the Act.

As regards housing, I should like to have seen wider powers given to the municipality to cope with the housing problem. Chapter 33 provides for sanitary dwellings for the poorer classes. I should like to enlarge

these provisions. I am glad to see that power has been given to prevent profiteering in foodstuffs and fuel to the detriment of the public. More power should be given to the Corporation to provide for quick and cheap transport for the public without which it is impossible to tackle the problem of congestion or expansion. Distant parts must be brought within easy reach of the city and the example of the city of London might well be followed.

It may seriously be considered whether power should not be given to the Corporation to interfere in industrial disputes when such disputes injuriously affect public services of the town, like the Gas Supply, the Electric Supply and the Tram Strike, etc.

I should like to inquire whether it is not possible for the holding of elections in such a manner that instead of all the elections being held at the one time every three years, elections for some of the constituencies should take place every year. This will secure a very necessary safeguard, namely, continuity of policy. A small efficient Electoral Department would soon get trained to work from year to year with the result that the Electoral Roll can be kept up to date and it would be unnecessary to engage extra inexperienced hands for a short period every three years.

Another suggestion I would make is that provision should be made to arouse a little more civic interest amongst ratepayers. This could be done by allowing standing and other committees like district committees to co-opt for a period, two or three members from the ratepayers who take an interest in public municipal affairs.

As regards Finance, clauses 102 and 110 dealing with Finance, present a serious question to my mind. Why should it be necessary to have to go to the Government of India for sanction for local loans? Provincial autonomy, specially in financing affairs, is desirable more especially after the treatment Bengal has received from the Government of India regarding financial difficulties of the Province. The sanction of the local Government ought to be enough so far as the Corporation is concerned. In giving such sanction the local Government would, no doubt, consider the possibility of raising a loan on the conditions it imposes, or whether such loans would clash with any Government of India loans; we may perhaps consult the Government of India on these points. But it is not necessary for the Corporation to depend on the sanction of Delhi, even for its loans.

In conclusion, I may express the hope that this measure may be taken up and passed into law after due consideration and without unnecessary delay. It is already, at least 10 years overdue.

Babu JATINDRA NATH BASU: I join other members in congratulating the Hon'ble Minister for bringing in this measure so soon after the new Government was brought into being. The measure has been called for a number of years and one Calcutta Municipal Bill was

drafted in 1917. There has been a great deal of discussion on this Bill in this Council. The time of the Council has been taken up in discussing whether there should be communal representation for Muhammadans or not. We, citizens of Calcutta, are not much concerned with the question whether there should be communal representation or not; what we want is good and clean roads, good and plentiful supply of water, the proper lighting of our roads and other municipal conveniences. For that purpose we want that the best men should be our representatives on the Corporation. In past years there have been men of different creeds and communities who went to the Corporation, not because they were followers of particular creeds, but because they had proved by their worth and work that they deserved the confidence of their fellow-citizens. We had J. G. Apcar, Maneckjee Rustomjee, Shirley Tremearne, Badruddin Haidar and others; these men belonged to different communities. It was not necessary for them to be returned by some particular communities in order to enable them to take an interest in the welfare of the citizens of Calcutta.

I have carefully followed some of the speeches that have been delivered, but it has not been made clear in what respect special communal interests required special representation as regards civic matters. Mr. Nasim Ali went so far as to state that the Muhammadan ratepayers were neglected; that is a statement without any justification or warrant. Mr. H. S. Suhrawardy has stated that the want of communal representation has resulted in the fact that Muhammadans are not sufficiently represented on the staff of the Corporation; but that is not a matter of constitution; it is a matter of administration with which the constitutional question which is being discussed has nothing to do. As a citizen of Calcutta what we are concerned with is that the ultimate power should be vested in the representatives of the people. The Hon'ble Minister has stated that that is what he has attempted to do in the Bill. But there are some sections, particularly as regards Assessment and the Health Department, in which certain authorities mentioned in the Bill are vested with power to deal finally with municipal questions that arise; the Corporation has no authority to override or control them. That is creating co-ordinate authorities to which we have been objecting. Then as regards assessment of Government lands and property belonging to the Port Trust, provision is made that a special procedure should be followed, and not the ordinary procedure. This will be an extraordinary provision: there is no reason why in assessing Government property and Port Commissioners' property, the ordinary procedure should not be followed. Then as regards the method of assessment, under the Act of 1888, a new principle was introduced under which rented property and property resided in by owners were assessed on different principles. There was great objection to the introduction of that principle because all over the world property is ordinarily valued for the purpose of rating on a rental basis. I would

request the Hon'ble Minister to make the principle of assessment uniform so far as rating is concerned. We have also the peculiar procedure under which the taxes for a holding are realised on two bills; the entire taxes are divided into two halves, and there is a bill for each half, one is the owner's bill, and the other the occupier's bill. This causes hardship in many cases and acts as a deterrent to the development of the town. It frequently happens that a long lease of land is obtained from the owner by the lessee, who erects buildings far exceeding in value the value of the land. It would be a hardship on the owner of the land if he has to pay a half share of the rates for the entire holding: the rent the owner receives for the land is probably fixed for a long period, while the rates may gradually go on increasing with the increase of rents derived from the buildings. Mr. Pugh has spoken as regards increasing the area of the municipality. He has told the Council that from the point of view of the health of the city it is necessary that the adjoining municipalities should be controlled by the Corporation of Calcutta. If you cross the borders of Clacutta you will immediately see the difference. He has mentioned the case of the Cossipore-Chitpur Municipality; there are cattle yards and warehouses there which would not be permitted in Calcutta. It is just because they are across the border that they are permitted. It will also be noticed that a great many of the residents of those municipalities spend most of their time and earn their living in Calcutta. It is therefore necessary, both for the development and health of both areas, that they should be brought under one Corporation. It may now be a question of finance but there should be a provision in the Act which would enable the Local Self-Government Department to include these suburban municipalities within the area of the town. Mr. Pugh also pointed out that there is no provision in the Bill for the working by the Corporation of transport system, or of other systems such as, lighting, gas, electricity, and I would urge upon the attention of the Hon'ble Minister that loans may be raised for these purposes, and the loans may be repaid out of the profits made out of the working. In some of the large municipalities in England there is provision for the municipal working of these systems. There should be provision in the Act for raising loans for such purposes.

There are several other matters which interest the citizens of Calcutta, but if I were to tell the Council about them, it will take a great deal of time. I therefore request the Hon'ble Minister to take into consideration the several matters that I have mentioned, as they do affect the welfare of the citizens.

Mr. H. A. STARK: This Council has had but little time to consider and discuss the principles of the Bill, and I doubt whether the members of the Council have had time to consult the constituencies whose views and wishes they are required to voice. The text of the Bill has not been long in our hands. We have, however, been discussing it. It is only

proper that the larger circle outside this Council should have an opportunity to examine its details. Communal representation and reserved seats on the municipal council will doubtless be considered by all, as well as the omission of certain constituencies and interests from the Bill as it now stands. I do not wish to say very much on the subject now, but if certain communities and interests are to be given reserved seats, I claim that the same privilege should be given to my community, most of whom are paying municipal rates and taxes. There is not, however, much to be gained by a discussion in this Chamber to-day. I therefore support the motion that the Bill be circulated to elicit public opinion.

Mr. W. R. RAE: I support the resolution before the House, that the Bill be circulated for approval. I am glad that that is all we are called upon to-day to decide, and I trust the members of the House, particularly the Muhammadan members will not vote against the resolution simply because the Bill does not provide for communal electorates, which they so earnestly and unitedly desire. I have followed the speeches which have been made so far very closely, and undoubtedly this question of the Muhammadan electorate overshadows all else in the Bill. I am indeed strongly impressed with the unanimity and the apparent sincerity of the demand by the Muhammadans for their own electorate, and I feel that this demand must be most carefully and most sympathetically considered. So far as I have heard not a single Muhammadan has spoken in favour of a general electorate for the Muhammadan members, except perhaps Dr. Hassan Suhrawardy and he will only accept it if the number is raised from 13 to 20 and he will be lucky if he gets it. I have decided, therefore in the meantime, to keep an open mind on the subject, and when the time comes to vote, I will at least be able to say that I have honestly and fairly considered the question. As the speeches so far have principally dealt with the subject of Muhammadan representation, very few of the speakers have referred to any of the many important matters in the Bill, I think I may safely take it that the Bill generally meets with approval. In this connection, I would just like to gratefully acknowledge the debt we all owe to Mr. Payne for the tremendous trouble and real hard work that he has put into this Bill. I am compelled, however, to enter an emphatic protest against the rejection of the Calcutta Corporation's proposal to include Cossipore-Chitpur Maniktalla, Garden Reach and other outlying areas in the Bill, as within the limits of Calcutta and I am totally unable to accept or even appreciate the Hon'ble Minister's reasons given in his speech. It appears that the chairmen and vice-chairmen of these municipalities were invited to a conference and they assured the Hon'ble Minister that they and their constituents were opposed to the change, and consequently the proposed inclusion of these areas within the municipal limits of Calcutta has been rejected. I think that the Hon'ble Minister in this matter has shown, for him, a most unusual lack of courage. The opposition of the local officials and their friends and supporters was only to be expected. The Hon'ble Minister

himself has told us that the inclusion of the suburbs, within the municipal area in 1888, gave rise to some little agitation, but that the boon was soon recognised. It is a matter of common history everywhere that proposals to extend the boundaries of a great city are always opposed by the officials of the areas proposed to be annexed, but such petty opposition must not be allowed to stand in the way of the growth of Calcutta, the premier city in the East and the second city in the Empire, and of which we are all so proud. When the Bill comes to be discussed in detail this question must be thoroughly fought out.

With regard to the increase in the number of the members of the Corporation from 50 to 80, I suppose we must accept the proposal, although, personally, I regret it, for in my opinion, the larger the Council, the more unwieldy it is, and more inefficient it becomes; "in a multitude of councillors there is not always wisdom."

I admit the many deficiencies and shortcomings of the present municipal Act, but it was a good working Act, and much good work has been done for the city since its inception. It was born at a time when "efficiency" was the watchword, and the changes which were carried out were dictated by that consideration and that consideration alone. Now the watchword of the present generation is "self-determination" and when the changes that are being made, are being dictated by a desire for popular self-government, and by that alone. I would ask the Council to remember at the same time the great need for efficiency if the services of the city are to be properly and satisfactorily carried out.

With these words, I support the motion that the Bill be circulated for public opinion.

Mr. TARIT BHUSAN ROY: I congratulate the Hon'ble Sir Surendra Nath Banerjea on the introduction of the Calcutta Municipal Bill. The memory of the agitation, which convulsed Calcutta on the occasion of the passing of the existing Calcutta Municipal Act, in the teeth of non-official opposition with a view to curtail the civic freedom of the citizens of Calcutta, has not faded in spite of the lapse of time. The Hon'ble Minister has tolt us in a voice that is still ringing in our ears that his faith in the ultimate triumph of the principles of local self-government never forsook him amidst the darkness and despair of defeat. The ways of Providence are inscrutable, and it has been left to Sir Surendra Nath Banerjea to introduce the new Bill and demolish the fabric which was reared up by the unrelenting hands of Sir Alexander Mackenzie, and lay the foundation of a new edifice which he justly characterises as the temple of civic freedom in Calcutta.

It appears that considerable heat has been introduced into the debate over the question of communal representation. It was a misfortune to us to listen to the speech of Mr. Nasim Ali last evening, which I am bound to say was conceived in a vein least expected from him. As

regards communal representation the principle is recognised that Muhammadans are entitled to separate representation; that right has been conceded so far as representation in the Bengal Council is concerned. No one disputes that proposition for one single moment, but so far as I can gather from the speeches which it has been my privilege to listen to, it transpires that there is a consensus of opinion among Muhammadans against the system of mixed electorates. Well, this is a matter in which it is necessary and desirable in all conscience that Muhammadan feelings and sentiments ought to be respected. It appears from the Bill that while a separate mixed electorate for the representation of Muhammadan interests has been provided, no separate electorate has at all been provided for the Hindu community. In the Bill, as it stands, in wards like Colootolla, where the Muhammadans predominate, 4 seats have been provided. Under this system of mixed electorates the door will remain open to Muhammadans not only to 13 seats, but a good deal more. If the system of mixed electorates is not regarded by the Muhammadans as a boon, do not for heaven's sake, thrust it upon them. I am here as the representative of a special electorate. You can easily understand my embarrassment when my views are against communal representation of classes. My friend, Babu Amulya Dhone Addy, yesterday, on the analogy of the procedure which is followed in the matter of Council election, has made a demand on behalf of the Bengal National Chamber of Commerce. It is only natural that he should do so, coming, as he does, from the Bengal National Chamber of Commerce. He has also advocated the cause of the Marwari Association, but he has omited to mention the claims of the Bengal Mahajan Sabha which I have the honour to represent. I do not for a moment suggest that the omission was intentional, but I say this, and say it deliberately, that although I am here as a representative of Indian commerce through a special electorate, the same principle should not govern the case of elections to the Corporation of Calcutta because I cannot forget for one moment that Calcutta is not Bengal; but if, as a matter of fact, communal representation in the case of the commercial community is conceded, I shall be the first person to advocate the claims of the Bengal Mahajan Sabha in this respect. I am against communal representation for this reason. I find several speakers advocating the cause of the Marwari community. What is there to prevent the Parsis from making a demand for separate representation? What is there to prevent the Chinese, the Bhatias and other communities from advancing their claims for separate representation? It will be the turn of the Indian Christians next. My friend, the representative of Labour, has already advanced a claim on behalf of the labouring classes. If this is conceded, I do not know where the matter will end.

With regard to the provisions of the Bill, it is gratifying to know that the number of commissioners has been increased from 50 to 80 out of which nine-tenths are to be elected and three-fourths by the general electorate. Surely, this is a distinct step towards democratising the

Corporation of Calcutta and we are grateful to Sir Surendra Nath Banerjea for this step.

I find that the question of adulteration has been dealt with in this Bill. It is a question of great importance and it is a pity that sufficient attention has not been given to a question of this kind. I find from the statement of objects and reasons that the question of food adulteration has been dealt with in a more comprehensive manner than hitherto. The definition of adulteration has been inserted in clause 3, but I ask this House seriously to consider, whether it would stop adulteration by merely widening the definition of the word adulteration. Far from it. If you will turn your eyes to the chapter on penalties, you will find that only a maximum fine of Rs. 200 has been provided for the offence of adulteration. Will that be sufficient to stop adulteration? It is my firm conviction that it will not. I had occasion to ask one of the ghee merchants, after the introduction of the Bengal Ghee Adulteration Act, as to what they would do now that adulteration had been penalised under the Act. He said that it would not deter him at all, for the very simple reason that the offence had been penalised with a fine and a fine which was nothing but a flea-bite to him. He said that he was making Rs. 10,000 from adulteration and what did it matter to him if he had to pay only Rs. 200 as fine. I appeal to Sir Surendra Nath Banerjea to consider the question of penalty for the offence of adulteration. Unless a penalty of imprisonment at the discretion of the Magistrate for an offence of adulteration is provided, I regret to point out that adulteration will not cease. You might remember the occasion when some prominent citizens of Calcutta waited in deputation on His Excellency the Governor of Bengal when he issued an ordinance for stopping the adulteration of ghee, as an emergent measure. That ordinance as is well known to many of us failed to achieve the object for which it was promulgated.

There is another question, the question of abatement of nuisances. Every one knows to what an extent the people of Calcutta are being displaced on account of the inroads of the Calcutta Improvement Trust. The fact is equally well known to many of the citizens of Calcutta that it is honeycombed with insanitary *bustees*, factories emitting smoke, *dalgolas* infested with rats and all that. My submission to the House is this that more drastic provisions should be introduced in the Bill for the purpose of abatement of nuisances. Imagine the nature of nuisances committed by these *dalgolas* in Calcutta. It is impossible for the people in the neighbourhood to bear the dust which comes out of these *dalgolas*. I had occasion to invite the Chairman of the Calcutta Improvement Trust to visit one of these places. He frankly confessed——

Babu NITYA DHON MUKHERJEE: I rise to a point of order.

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): Are we discussing the details?

The DEPUTY-PRESIDENT: You must speak on the principles of the Bill.

Mr. TARIT BHUSAN ROY: I object to my friend addressing me direct. If he wants to rise to a point of order he must address the Chair.

Babu NITYA DHON MUKHERJEE: I did not address him direct, but I addressed the Deputy-President and rose to a point of order.

Mr. TARIT BHUSAN ROY: In view of what has fallen from the Hon'ble Mr. Mitter I do not like to detain the House any longer.

With these words, I support the motion of Sir Surendra Nath Banerjea for circulation of the Bill.

Mr. RAZAUR RAHMAN KHAN: I shall be failing in my duty if, at the outset, I do not congratulate the Hon'ble Minister in charge for his successful introduction of the present Bill in the Council. No one here can gainsay that the present Bill is a great improvement on the Act of 1899. All credit is due to those who have been responsible for its production.

But, though we consider the Bill as a whole satisfactory, yet there are salient points, points of vital importance to our community, which no right-minded Moslem, who has the interest of his community and of the future of India at heart, can acquiesce in.

We are quite in agreement with those provisions of the Bill which lower the qualification of a voter and thus throws open the door of franchise to a large number of men. We also appreciate the raising of the number of councillors and also the curtailment of Government nominations as these might be objected to as tending to interfere with the efficiency of the Corporation, but in order to democratise and popularise local self-governing institutions this has been devised. Some of our members have objected to the non-inclusion of the Cossipore, Tollygunge, and Maniktalla Municipalities in the municipal bounds of Calcutta. Speaking for myself, I would say that as the Hon'ble Minister has given us to understand that the inhabitants of these parts are against the inclusion, the time is not opportune to thrust the boon of the Calcutta Corporation on them. The reservation of a number of seats for the Bengal Chamber of Commerce, for the Calcutta Trades Association, and for the Port Commissioners has our heartiest approval. The magnitude of interests which they control must have separate representation. But the crux of the whole situation lies in the representation of Muhammadans on the Corporation. There are three courses open to safeguard the interest of Muhammadans: one is by allowing the Muhammadan community communal representation, another by earmarking a number of seats in the Corporation to which the members can be returned by a mixed electorate, and the third by Government nomination.

Of Government nomination the less said, the better. The strongest plea that has been urged by the Hon'ble Minister in support of earmarking a number of seats to be returned by a mixed electorate has been that communal representation acts adversely to the interest of a future united India. There the Moslems as a body take their stand on communal representation, as evident in the formation of the present Council. And who with a knowledge of the past as well as of the present can say that the present attitude of the Muhammadans is inexpedient and irrational? I know that another argument is to the effect that by allowing Muhammadans to be returned by a mixed electorate you shut the gates against the Hindu extremists who form the majority? If shut the gates against the Muhammadan extremists, but would you shut the gates against the Hindu extremists who form the majority? If Government nomination is bad, earmarking or election by a mixed electorate is worse. Here the nominees are under the thumb of Government, but there they are under the control of the mixed electorate and have more the interests of the mixed electorate at heart than the community whom they are supposed to represent. The Muhammadans, as a community, who, we can say, with few or no exceptions, have always pressed for the recognition of communal representation pure and simple, as a working devise to safeguard their rights in the transitional period towards the united Indian nationhood. The dawn of Moslem public life begins from 1906 when communal representation was recognised by the Morley-Minto Government.

It is no use waxing eloquent on the ideal—for the present the golden dream of the Utopia of an united India, when among the different races and communities of the land no jarring note would be heard, is far distant. We all believe in the golden dream but it is a far cry to Lucknow. Let us look the facts square in the face. Let us deal in the practical politics. We know, and even in the year of grace 1921, witness in the Calcutta Corporation how the Moslem interests are safeguarded even at the hands of the venerable Minister in charge of Local Self-Government. The Moslem nomination has been cut down from the startling figure of 4 to 3. This might be sought to be excused on the plea of oversight, but we know full well what that means. The Hon'ble Minister himself admits that Moslem interests are to be safeguarded anyhow and it is for this that he has given us 13 earmarked seats. If he had opposed almost all communal representation, that would have been good, that would have been more fair and more straightforward. But he wants to circumvent us. He wants to placate Moslem feelings, and at the same time so to manipulate——

The Hon'ble Sir SURENDRA NATH BANERJEA: I protest against the use of the word "circumvent."

The DEPUTY-PRESIDENT: You ought to withdraw.

Mr. RAZAUR RAHMAN KHAN: I withdraw, but it appears that Moslem interests are going to be manipulated in such a way that the interests of the majority of the electors would be served and that only those Moslems as are in sympathy with the views of the majority would be returned; but what Moslems want are men who would represent their views and who would safeguard their interests whether they be extremists or moderates. The member who would be returned by a mixed electorate will have to look to the favour of the voters of the majority even when he finds that their views—the views of the majority—are detrimental to the community whom he is supposed to represent. My appeal to you is that if you grant us special consideration, please also have the generosity to concede to us communal representation—please allow us to elect our members in whom we will have confidence. The Hon'ble Minister in his address said that communal representation in the Calcutta Corporation was something new. Well and good. If that is new, is not the present Council, is not the dual Government something new? If it is something new, it has to be conceded in order to rectify a wrong that has so long been done to the Muhammadan community in not giving adequate representation to it on the Calcutta Corporation.

The DEPUTY-PRESIDENT: I hope that the member will bring his remarks to a close as it is time to adjourn.

Mr. RAZAUR RAHMAN KHAN: On the above grounds, I protest, and protest strongly, against the election of Moslem representatives by a mixed electorate. This is a thin end of the wedge as adumbrated in that address of the Hon'ble Minister himself. The matter requires the most careful consideration. The gravity of the problem is enhanced by the consideration that if it is adopted in the Calcutta Corporation, it will have to be extended to the mufassal municipalities and local bodies. If we concede the principle now, it would be used against us 10 years hence when the Government of India Act is to be revised. Do not our European and Anglo-Indian friends who sympathise with us realise this? In the end, on behalf of the Muhammadans, I thank those of our Hindu friends who have had the foresight and large-mindedness to acknowledge that the interests of Muhammadans should be safeguarded. It is in their friendliness, it is in their sense of justice and sympathy that we discern a silver lining in the gloom of a distracted and disunited India.

At this stage the Council adjourned for 15 minutes.

After the adjournment.

Babu NIRODE BEHARY MULLICK: I regret that it has not yet been possible for me to do full justice to the not very small-sized Bill that is now before the House and, consequently, I did not desire at first to take any part in this debate at least at this stage of the Bill.

But after listening to some speeches made yesterday in this Council and watching the unnecessary heat introduced, I feel an almost irresistible desire to make only one or two observations.

But before I do so, I feel it my duty to join my voice in the general chorus of congratulations showered upon the Hon'ble Minister for Local Self-Government for the whole-hearted energy with which he has thrown himself into the subject, for the very excellent speech he delivered while introducing the Bill the other day, and for the laborious and anxious care with which he has now been watching the proceedings.

Coming to the question of communal representation, which is now perhaps uppermost in the minds of the members of this Council, I think it is unfortunate that an attempt should be made now to deny the Muhammadans that method of representation, which even the authors of what is generally described as the Montford Report have been constrained to grant them. And yesterday's discussion clearly demonstrates how more unfortunate it is likely to be in case that attempt is persisted in.

Let us see what are the arguments against communal representation. The Hon'ble Minister for Local Self-Government said while introducing this Bill—

> We are here to ensure the success of the Reforms, to secure complete self-government culminating, as I hope in the fulness of time, in the upbuilding of a united Indian nationality. If this be the right conception of our fundamental duty here and I cannot think that it could be otherwise, then it is obvious that it is incumbent upon us to resist any proposal which may interfere with the growth of Indian nationhood.

I want to make it absolutely clear that I whole-heartedly associate myself with "this right conception of our fundamental duty." But I respectfully differ from him when he says to the effect that communal representation retards the growth of Indian nationhood in view of the circumstances obtaining at present in India. On the contrary, I firmly believe that to deny communal representation to Muhammadans will be to seriously jeopardise the success of the Reforms and thus to delay the day of complete self-government, which is certainly the common aim of all of us assembled here. It is not unknown to any member of this Council that the Congress and the Moslem League, two very well-known political associations of India, have set their seal on communal representation. May I ask—Did they do it with the aim of retarding the growth of Indian nationhood? Or are we to believe that the angle of vision which inspired the famous Lucknow Compact has undergone a complete transformation owing to the last world-wide war or to the Washington Conference? In the second place, the Hon'ble Minister for Local Self-Government asks—

> The member returned by the mixed electorates would enjoy the confidence of both Hindus and Muhammadans, and it is very obvious that he cannot be either a Hindu or a Muhammadan extremist, for any element of fanaticism would deprive him of the votes of the one or other section of his electors. Do you want extremists

or men of moderate views in the Calcutta Corporation, men who would make our local bodies worthy adjuncts to the Reformed Councils and suitable training ground, for the future legislators of the Province? Let the Council answer.

This part of the Hon'ble Minister's speech reminds me of a similar one made by Lord Curzon in the House of Lords while criticising the Indian Reforms of 1909. In connection with the appointment of a member on the Viceroy's Executive Council His Lordship observed—

If he is a Hindu, will he have the confidence of Muhammadans, if he is a Muhammadan will he have the confidence of Hindus? No, in either case, he will not.

Following this trend of peculiar logic, His Lordship concluded that in these circumstances Hindus and Muhammadans would be better represented by one who is neither a Hindu nor a Muhammadan. The Hon'ble Minister's argument, as quoted above, if logically pursued, would also point to the same effect, for we cannot have a member trusted by Muhammadans alone nor a member trusted by Hindus alone.

But speaking seriously, I would answer the Hon'ble Minister's question by saying that I for one would like to have in the Corporation that kind of men who would come to it with clear and unmistakable mandates. Mixed electorates certainly do not guarantee this. On the other hand mixed electorates create that reprehensible mentality as is seen in a man who is to serve two masters with different views and ideas. At one time he abuses the one master and praises the other and *vice versâ*. It is desirable that this reprehensible mentality should no longer be encouraged.

An opinion of the illustrious authors of what is generally described as the Montford Report has been frequently quoted. That opinion is contained in the sentence—

We regard any system of communal electorates, therefore, as a very serious hindrance to the development of the self-governing principle. The evils of any extension of the system are plain.

But those Hon'ble Members who rely too much on this opinion forget that the same statesman, in spite of those utterances, practically granted communal representation everywhere—in Bengal, Madras, Bombay, and so on. What does this prove? In the next place, those who quote that opinion forget to quote another opinion in the same paragraph (231 of the Montford Report) which runs—

Much as we regret the necessity, the present system (*i. e.*, communal representation) must be maintained until conditions alter even at the price of slower progress towards the realisation of a common citizenship.

Rai Dr. Haridhan Dutt Bahadur gives a catalogue of the arguments against communal representation as found in the Montagu-Chelmsford Report. I fancy, that members of this Council could have been very well spared the copy-book maxims and ill-suited plausibilities of that verbose piece of political literature especially in view of the fact that

the same illustrious statesman practically granted communal representation almost everywhere in spite of their doctrinaire arguments. The Rai Bahadur denies communal representation to Muhammadans, although he is willing to give it to the Marwari community. I confess that I have failed in reconciling this apparent contradiction.

It appears to me that much irrelevance has been indulged in owing to the forgetfulness of the purpose and aim of representation. The aim of representation is undoubtedly to make the institutions concerned based on the popular will. If that is so, how can it be best attained except by allowing all predominant classes and sections to choose their own representatives? The Muhammadans have elected to prefer communal representation to other kinds of representation. And to my mind this question ought to end here.

I agree with a previous speaker when he says that Hindu-Moslem unity is worth preserving. But I submit that friendship or unity is a reciprocal term. If we desire the friendship of Muhammadans, it will only be possible not by sweet words, not by copy-book maxims, indifferently quoted and unhappily applied, not by the display of intellectual *jiu jitsu* in the shape of fallacious plausibilities, not by profuse quotations from illustrious authors and statesmen, whose knowledge of India is of necessity meagre and indifferent and who would do well to revise their judgments in the light of ours, however eminent they may be in the political arena. This friendship will be possible by unmistakable and practical action, which is the only true index of the inner mind working within. The Council is faced with this question. Does it want to do justice to the Muhammadans? Let it face the question squarely. But it may be that to some an appeal in the name of abstract justice might serve as a very feeble spring of action. Even such gentlemen, if there be any, to whom an appeal in the name of justice is a feeble spring of action, cannot ignore the all-convincing fact that any attempt to deny justice to the Muhammadans in a province like Bengal, where they form 52 per cent. of the population, and in a Council constituted as it is, is fraught with immense dangers and mischief and is bound to fail.

Babu KISHORI MOHAN CHAUDHURI: I am extremely sorry that we have not been able to follow the advice, so nicely expressed by my friend, the Hon'ble Mr. P. C. Mitter, that we should not at this time discuss the preliminaries of the Bill at such length. We got an assurance from him that both the Hindu and Muhammadan members of Government in the Executive Council as well as in the Ministry would join hands in bringing about a reconciliation with regard to the disputed point. At the outset, I must say that I fully sympathise with my Muhammadan friends when they apprehend that in the event of communal representation being denied them, they will be placed in a very

awkward position. I express my sympathy with that sentiment, but I do not like to express my opinion on the point. If I am convinced that they really want it for safeguarding their interests, I should say, "By all means have it." But at the same time, if it is necessary that for developing our nationhood it should not be adopted but that a mixed electorate should be asked to elect members of different communities to the Corporation in friendly co-operation, I would ask my Muhammadan friends to think over the matter and say whether the attitude of opposition which they are now taking is the correct one or not. I certainly do not sympathise with Mr. Nasim Ali (I do not see him here; he is perhaps absent today). I have no sympathy with the sentiments expressed by him, and I can safely dismiss him altogether from my mind and ask my friends also not to think of him. I am a pleader and he, too, is a member of the same profession, and I do not know if we can attack our adversaries right and left without reasoning or showing any reason why we should do so. I do not know to whom he has lent his services—whether to the friends or to the enemies of Indian nationhood—but I certainly do not think that he does not want *swaraj* or the Reformed Council either, if there be no separate electorate to safeguard the interests of the Muhammadans. My idea is that the scheme has been conceived in a great statesmanlike spirit and embodies the principle that representatives of different communities should be elected by a mixed electorate. This Bill is a Bill entirely for local bodies and is the first of its kind to be introduced in the first Reformed Council. This will be a guiding principle for introduction in other local bodies also. We must remember that in Bengal 50 per cent. of the population are Muhammadans on the whole and in the Eastern and Northern districts Muhammadans preponderate. Again, in the Rajshahi district from which I come, the porportion of Muhammadans is about 85 per cent. The Hon'ble Minister who has devoted his whole life to the work of nation-building knows full well the risk he is running and in what a serious position he is placing the Hindus in the Eastern and Northern districts by the denial of communal representation to them, for apparently no means has been adopted to safeguard the interests of the minority there; if it be argued that the principle of separate electorate should be introduced for the benefit of Muhammadans, it may be equally contended that other communities too are entitled to the same privilege. Our esteemed leader knows fully well what the situation in Eastern Bengal is. He has taken a great risk in introducing this element into the Calcutta Municipal Bill and, I think, it is worth a trial; should it ensure harmonious working between the two communities, both of them should accept it. But if, on the contrary, it is not to our advantage we might give it up. The Congress-Moslem League did not think of the local bodies; they thought of the Provincial Councils and the Indian Legislative Assembly. The same thing is also in the Montagu-Chelmsford Report. To my mind it is proper that we ought to give a trial to the Bill which introduces us to the principle by which it is

attempted that both the communities should think of the national advantages and disadvantages and should act in friendly terms. But if, really, there is an apprehension as has been expressed by some of my Muhammadan friends that the Bill will bring into play canvassing and racial prejudices, we should avoid it. But we should wait for public opinion to be given on the Bill; the opinion of the Moslem League, the Congress and other public bodies. We should remember that we have not the monopoly of sanity of thought limited to us—a body of 139 members. Why should we be impatient? Why should we not wait? I think we should approach this question with an open mind. In this connection I cannot help quoting from the Montagu-Chelmsford Report:—They said—

> We conclude unhesitatingly that the history of self-government among the nations who developed it, and spread it through the world, is decisively against the admission by the State of any divided allegiance, against the State's arranging its members in any way which encourages them to think of themselves primarily as citizens of any smaller unit than itself.

Later on they again say—

> Division by creeds and classes means the creation of political camps organised against each other, and teaches men to think as partisans and not as citizens, and it is difficult to see how the change from this system to national representation is ever to occur. The British Government is often accused of dividing men in order to govern them. But if it unnecessarily divides them at the very moment then it professes to start them on the road to governing themselves it will find it difficult to meet the charge of being hypocritical or short-sighted

This is the view expressed by men of ripe judgment. If in practical politics we find that absence of communal representation is not suited to us, but for the development of Indian nationhood separate electorate is necessary, let us have it by all means, but let us wait for public opinion. What I say is that we should proceed with an open mind and not say at this stage whether this should be done or this should not be done. All I do say is that it is a very important Bill and it is really a triumph of the public demand of taking an effective part in the municipal administration of the city. This Bill should not be rejected at the outset. I was pained to find the other day that some of the Muhammadan members objected to its introduction even! It is admitted on all hands that the improvement of the existing law is indispensable. There may be defects. I do not mean to say that it is perfect in every respect, but let us see how the public accept it, and then the matter will be referred to the Select Committee and will finally come back to us again for discussion for enactment into law. We have ample time to consider the Bill afterwards. In the end I cannot help congratulating the Hon'ble Minister on the excellent Bill which he has brought forward.

Mr. AJOY CHUNDER DUTT: It was not my intention to take any part in the debate on the Municipal Bill. It is a subject with which I am not familiar but the trend of the discussion obliges me to make some observations to-day, on the subject of communal representation. A

great deal has been said with reference to this subject. Every one knows that communal representation is not a desirable thing. It never existed in England in Parliamentary election and so far as I know the framers of the recent political Reforms did not at first agree to accept the principle, but for reasons which are familiar to all, and which I need not repeat here, they at last, with considerable hesitation, accepted it. At the present moment we are steering to our political goal "self-government" and this goal can only be attained if we put our energies together and drive forward. It is a pity thus to dissipate our energies in quarrels and in useless recrimination over the subject of communal representation. If we accept the principle of communal representation, a division between the Hindu and the Muhammadan communities will be inevitable, and our political progress will be hindered, if not altogether jeopardised. I am here because I believe the Reforms will lead us to democracy. Let us not jeopardise it by accepting in municipal matters a principle which might effect a radical division between Hindus and Muhammadans. I quite see the difficult position of the Muhammadan community in Calcutta. I admit that Muhammadans find it extremely difficult to get into the Corporation. A very large proportion of the votes are in the hands of the Hindus, and the fact remains that Muhammadans do not stand much chance of getting into the Corporation through the ordinary channels of election. But I ask this question in all seriousness—Cannot adequate representation for Muhammadans be provided for in the Corporation without having recourse to the system of communal electorate? I have no objection if they capture one-third or even half the number of seats in the Corporation through the medium of a mixed electorate, but let them not employ the mischievous system of communal electorates for the attainment of their object. I freely admit that the Muhammadans have a right to be represented in the Calcutta Corporation by their own men. This brings me to another point. At present the distribution of municipal votes is extremely defective; I have always considered it so. The Calcutta Corporation is in the hands of rich men. It is impossible for any one to be elected into that body without the assistance of rich men. I am of opinion that the principle of democracy as expressed by the phrase, "one man, one vote" should be adopted in municipal election.

Mr. D. C. GHOSE: It is in the Bill.

Mr. AJOY CHUNDER DUTT: I may be under a misapprehension. I have not had an opportunity of carefully considering the Bill.

Babu SURENDRA NATH MALLIK: I rise to a point of order. Can a member mislead the speaker. The words in the Bill are—one voter, one vote.

Mr. AJOY CHUNDER DUTT: The Bill contenplates that a person, provided he is duly qualified, can have no more than one vote in a

particular ward, but if he has properties in all the wards he can have as many as 25 votes. I say that in no circumstances should a person be given more than one vote. Let the principle of one man, one vote be applied. The great preponderance of Hindu over Muhammadan votes which exists to-day will in a large measure diminish.

Then as to the voting qualification. This has been reduced from Rs 24 to Rs. 12. That will bring in a very large number of Muhammadan voters—I do not know exactly how many, for no calculation has been made and figures have not been worked out—but the great advantage that the Hindus have to-day over the Muhammadans in voting strength will certainly diminish. (A voice: Without reference to rates paid?)

Mr. AJOY CHUNDER DUTT: The fact of the voting qualifications having been reduced will also operate in favour of the Muhammadan community. The principle of "one man, one vote," has been accepted by the framers of the Government of India Act. It is a principle which is very equitable and there is no reason why it should not be applied in municipal elections. If by the application of this principle we find that the voting strength of the Muhammadan and Hindu communities has been more or less equalised, I feel sure that the claim for communal electorates, which is so strongly pressed to-day, will be abandoned. It is a very mischievous principle. We do not know where the principle will lead us to. What will prevent the other communities from demanding the privilege? There are many Jews, Armenians, and Marwaris and Bhatias in Calcutta—they will come forward and say that we want separate representation. If we give the Muhammadan this privilege, they can equally ask for the same and you cannot resist their claim. Once the principle of communal electorates is accepted, there is no reason why it should not be extended to the rural areas also. A great division will in that case be instantly effected between the Hindus and Muhammadans. Socially, we are already divided, why extend that dividing line into the field of politics? The European community have not at present communal representation, but if the principle is accepted, I should not be surprised if they should agitate and put forward a claim for it. For these reasons, I submit, that the principle of communal representation should not be accepted on any account.

Babu TANKANATH CHAUDHURI: We have heard a long discussion on this subject from yesterday. We heard the Hon'ble Mr. P. C. Mitter say to-day that the subject matter of the Bill would be considered at length later on, and we need not discuss its provisions at such length now.

Now one point strikes me. We heard Rai Dr. Haridhan Dutt Bahadur say yesterday that in the past some 8 or 9 Muhammadan members

succeeded in becoming elected as commissioners of the Calcutta Corporation at each election, but later on only one or two could get into it, and in the present year there is not a single Muhammadan elected as commissioner in the Corporation. The conclusion that one naturally draws from this state of affairs is that before the controversy—the Hindu-Moslem controversy took an acute form—there was not much difficulty in getting good Muhammadan representatives elected to the Corporation. This unfortunate Hindu-Moslem controversy had its origin during the partition agitation in Bengal. From that time the cleavage between the Hindus and Muhammadans is growing wider and wider from day to day and it would be to the interests both of the Hindus and Muhammadans, or rather for the interests of the growing Indian nationhood if this cleavage were set at rest. We know that men like Sir Badruddin Hyder and others used to be returned to the Corporation year after year, in fact he was in the Corporation for nearly 20 years. Dr. Jahiruddin Ahmed was also in the Corporation for a long time—I only refer to the baneful effect of communal representation from the point of view of the growth of Indian nationality. One speaker accused the Hon'ble Minister for not giving adequate heed to the interests of the Muhammadans. Many of us who attended the Congress movement in the past know with what delight our venerable Minister used to hail any one of the Muhammadan community who would come and join the Congress. It was he, who tried to infuse into the Muhammadans an eagerness, a zest for national life, and if anyone accuses him for not giving due heed to the interests of the Muhammadan community, I think he is guilty of making a travesty of facts. I submit that so much heat, as was in evidence yesterday, should not have come in at this stage of our discussions and I would have been glad if I could endorse the view expressed by Mr. H. S. Suhrawardy that there had been no heat in the discussions, but many of us remember the scene we had in the House yesterday.

There is one thing. If we concede communal representation to Muhammadans are we to consider them as one community or are we to consider them divided as Sheahs and Sunnis? We had a controversy of this nature in Lucknow sometime back. If we are to grant communal representation to the Muhammadans why should we not give it to the Vaishnabs, Shaktas, Jainas, Brahmos, etc.? All of us know that Brahmos and the orthodox Hindus were at daggers drawn in the past, but the classification of Brahmos and orthodox Hindus into one class as "Hindu" has tended to unite the non-Muhammadans in India.

Now, if we do not divide our people according to the faith that they adopt, if we take them together, then we develop an Indian nation which would be an admiration for the whole world. If I am permitted to say so the word "Hindu" or rather "Hindusim" includes into its broader aspect all different forms of religion in the world. Of course, time will show that. If we analyze all the different faiths accepted by the Hindus, we would see that it includes many, totally divergent faiths under Hinduism.

But it is no place to discuss about all these things and I would only say this, that if we gave up this controversy about separate communal representation of Hindus and Muhammadans, we would solve a great problem, a problem, the solution of which, if delayed much longer, would ruin the growth of Indian nationalism.

Maulvi EMADUDDIN AHMED: I congratulate the Hon'ble Minister in charge of Local Self-Government on the introduction of this measure. It must be admitted that a good deal of statesmanship, thoroughness and foresight has been displayed in the Bill that he has introduced. We, the Muhammadans, have not the least objection to the circulation of the Bill, but we desire only to bring to the notice of the members the matter which is uppermost in our minds, so that a compromise, as has justly been appointed out by the Hon'ble Mr. P. C. Mitter, may be arrived at, and that both the communities may have an opportunity of setting aside their differences and coming to a deliberate decision regarding the problem. At the outset, some of the Hindu members said, "Why do the Muhammadans demand their separate electorate?" I say, "Yes, they want it." For myself, I know that there are many of my Hindu friends who are abler than ourselves to administer to our wants. As regards this special electorate, as has been pointed out by the Hon'ble Mover, Mr. Gladstone observed—

> Municipal institutions are the seed-plots upon which and around which are developed those habits of thought and that temper of mind which constitute the noblest heritage of a nation

It is for this reason that we are hankering after it. The municipal institution is our preparing ground for enabling us to take a more responsible part in the *swaraj* that is in our vision; it is the ground where we want to train ourselves. It is for this reason that we want our own men, not because the Hindus cannot represent our interest. If we do not have our own representatives, the result would be a drawback, which we find in some of the municipal institutions. Some of my friends must admit that because the Muhammadans have been lacking in education—whether it be a fault of the British Government or of the Muhammadans themselves—they have been lagging behind the Hindus. And the Hindus also find that the Muhammadans, owing to their backwardness in education, hinder them in the progress which they would otherwise have made. It is for this reason that we want to be more progressive so that we may be able to take our share in the administration of the country, whether as brothers or as partners, and help in the ultimate common good of the whole nation.

To speak frankly, I may say that I have kept my mind open to vote this way or the other way. I would, however, put the facts before you and it would be for you to consider which way I should vote for. As the proverb goes, "an ounce of fact is worth more than a ton of theory." Babu Kishori Mohan Chaudhuri, from whom I have learnt many things

and to whom I owe much of my knowledge in municipal affairs, will himself admit that at the last election an illiterate Muhammadan was elected, not by the Muhammadans themselves, nor by the Hindu community but, for certain interested motives, by one who got that man elected with the ultimate object of getting the Chairmanship. I would ask Kishori Babu to tell us the result. The result was that all of us found that the man who got that Muhammadan elected was a most unscrupulous man and that he ought not to get the Chairmanship. The illiterate man would not listen either to us, Muhammadans, nor to the Hindus, but he was entirely under the thumb of the Hindu gentleman who wanted the Chairmanship. On the fatal day of the election the whole town was convulsed and the result was that we, the 20 members, were divided half and half. Excepting the Hindu who wanted the Chairmanship we were united—at least the whole town was united and it was by accident or an act of Providence that by the casting vote of the President the situation was saved. We must acknowledge that our Hindu friends have advanced more than ourselves and they are the forerunners in municipal affairs, and we therefore owe much to them.

Babu KISHORI MOHAN CHAUDHURI: I may remind my friend, Maulvi Emaduddin Ahmed, that there was official influence at the bottom and the Hindu split created the feeling.

Maulvi EMADUDDIN AHMED: Of course, I do not deny that there was official influence. But we all know that we could not get the illiterate man to our side in spite of all our efforts. He did not listen either to the Muhammadans or to the Hindus and was entirely under the thumb of that man who wanted to be Chairman. My friends know that, in preference to an educated Muhammadan, that illiterate Muhammadan was elected. These are facts. We find that in the Calcutta University a controversial question arose out of the refusal of a Hindu professor to teach Muhammadan students in Sanskrit books. The Hindu professor flatly refused to do so and fancy a Hindu gentleman—if I remember aright—Rai Dr. Chuni Lal Bose Bahadur said that in an academical institution there ought not to be any distinction whatsoever and that the Muhammadan ought to be taught Sanskrit. This matter was a subject for discussion then and it was brought before the Calcutta University Commission, which took cognisance of the matter. Thus the Muhammadans have been smarting under that treatment—that is that we were debarred from attending lectures on Sanskrit books. I must admit, however, that there are many Hindus who take a proper view of the whole affair. I myself admit that, although I come from a special electorate, without the help of my Hindu friends who came forward to my side, I would not have been successful. We, the Muhammadans, who hanker after this special electorate, demand it because we have been smarting under those remarks. We are apprehensive that if we get the general electorate the right type of Muhammadans to represent our cause will not be selected. While I

regret the speech of Maulvi Nasim Ali, I regret also that Rai Jogendra Chunder Ghose Bahadur said that he would not admit that all of us, the Muhammadans who are here, represent true Muhammadan interest.

The Hon'ble Minister is always amenable to reason. Before I was elected a Member of the Local Self-Government Committee, the number of seats allotted to the Muhammadans was fixed at 11. I think that I was the first to point out to him that according to the triple formula which has already been referred to by the Hon'ble Minister and which was being marked in the mufassal the number should be fixed at 13 and he has accordingly given us 13 seats. We are really thankful to him for this.

The venerable Minister is the leader of both communities and I think I do not appeal to him in vain when I say that although we approach this matter from different points of view, he will give us a patient hearing ("Hear," "hear"). I think that the suggestion made by the Hon'ble Mr. Mitter is a good one and I welcome it. Let us, Hindus and Muhammadans, combine and without bringing any more heat into the discussion let us put our own views. And I am sure our Minister is quite amenable to reason and that after hearing us will grant us what we want ("Hear," hear").

Khan Bahadur Maulvi WASIMUDDIN AHMED: Much has been said on this subject and very little is left which can be said without fear of repetition. I shall conclude my speech with a few words. I do not wish to detain the House any longer. First of all, I should congratulate our venerable Minister for having taken the opportunity of brushing aside the law under which he himself smarted and he has done full justice to the case he represented all his life. I also thank him for not having forgotten the interests of Muhammadans and he has given full consideration and has given 13 seats to Muhammadans. For this act of kindness he deserves the full and hearty thanks of Muhammadans. While he has given us this boon I suggest that it should be a real thing and not a name—thereby I mean that the 13 seats that are given to Muhammadans should truly and certainly represent the Muhammadans. Without this there may be Muhammadan commissioners, but they will not certainly be Muhammadan representatives. I submit that while you concede this right to the Muhammadans by giving them 13 seats, there is no reason why you should not exact a corresponding right from them. If you give them these 13 seats and if they are returned by communal representation you can say that they are representing the community and their voice should reign supreme in communal matters and thereby you can gain much. But if you allow them to be returned by the general electorate, the Muhammadan community at large may repudiate them and say at the next moment that they are pro-Hindu members and that they do not represent their voice and they are not bound by them. So it is advisable both from the Muhammadan point of view as well as from the general point of view that although the 13 Muhammadan seats

should truly represent the Muhammadan interests, so that in a big question touching the Muhammadans at large, they may not turn round and say that they do not represent the Muhammadans. On this ground, too, I would ask the Hon'ble Minister to consider this matter.

There is another question regarding election expenses to which reply was given the other day. The reply shows to what extent the cost of election varied from person to person, whereas some Muhammadans did not spend more than Rs. 5 as election expenses, in some cases the expenses ran over to a thousand and in many cases to many thousands. So, if there be a special electorate, the Muhammadans can, on their past service, count upon the support of their Muhammadan friends and without incurring any expenditure can expect to be returned. Whereas, if such a man tries his best to be returned from the mixed electorate, he must undergo the usual expenses, and I wonder if some of my Hindu friends would take up his case and spend money from his own pocket as he can well afford to do it. I do not think that it is advisable to allow the Muhammadans to be returned by the general electorate.

There is another point and it is this: our Hon'ble Minister has tried his best by this means to drive away the angularities of both communities, but in such an important body, there should be people representing all shades of opinion both from the orthodox Hindu point of view and also from the orthodox Muhammadan point of view, as questions may crop up in the municipality where opinions of these gentlemen would be of immense value. So by mixing together the Hindus, Muhammadans, Christians, Jews and all races you want to drive away the peculiarities of particular creeds, but that does not seem to be desirable.

In the third place there is the ordinary proverb which my friend Rai Jogendra Chunder Ghose Bahadur has quoted He has said that the effect of this separate electorate would be to make *bhai bhai, thai thai* but it is also well known that when brothers cannot live in amity it is often desirable for the sake of keeping up friendship and love among the brothers that they should separate and live in a separate mess: at the same time make some concessions for their brothers and it is often found that when they are in separate mess their hearts meet together and they can act together more amicably than they can even if they remain in a general mess. Take, for instance, the case of the Council, where we have Hindu and Muhammadan brothers. They have entered the Council from different constituencies and as soon as they come here they are all friends working together for the common good cause and they are all one and they can act in amity. On the contrary, take up the case of any of these districts where both Hindus and Muhammadans are fighting with one another. I think we ought to proceed amicably and need not quarrel with our brothers and go on saying these things and let no racial question stand in the way of friendship.

As regards plural voting, the Hon'ble Minister has done away with it to a certain extent, that is, plural voting should not be allowed in favour of a particular candidate. With reference to this I would only submit that this is a provision which is not an unmixed good, neither an unmixed evil. It supports in a particular way the interests of a minor community. Take, for example, we have 100 electors and there are members to be returned and there are 25 Anglo-Indians. These 25 Anglo-Indians have a fair chance of getting a member returned by themselves, but in a case where one member has got only one vote, then out of these 100 votes, the 25 Anglo-Indians will give 25 votes to their friends and the remaining 100 will either have to be used against themselves or will have to be destroyed. Therefore, this provision does not seem to be desirable for any minor community. A few months ago opinions were invited whether the system of plural voting should be introduced to local boards and some of the members of our Pabna Board, who thought they were secure and would get Muhammadan votes seemed to be against plural voting. I think the Muhammadans understood the effect of it, as there were Namasudras who were very anxious to have members of their own community and they could not return their members because they could not get the votes, but if they were allowed plural votes they could send up their members by using the plural votes in favour of a single candidate. So, in the case of the Calcutta Municipality, where there are minor communities, *e.g.*, Muhammadans, European and Jews, if plural votes were allowed in favour of a single candidate, the interest of minor communities are better served than disallowing them to use all their votes.

With these remarks I whole-heartedly support this Bill and also support the motion that the Bill be circulated for eliciting opinions thereon.

The DEPUTY-PRESIDENT: Before adjourning the Council, I may inform the members that the first business to-morrow will be the demands for grants and, after that business is concluded, we shall continue the discussion on the present motion.

Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 1st December, 1921, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met at 3 P.M. on Thursday, the 1st December, 1921, in the Council Chamber in the Town Hall, Calcutta.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 86 nominated and elected Members.

Starred Questions

(to which oral answers were given).

Elections of Chairmen and Vice-Chairmen of District Boards and Municipalities.

***XLII. Rai UPENDRA LAL RAY Bahadur:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of cases in which the elections of chairmen and vice-chairmen of both district boards and municipalities were set aside by the Government within the last ten years, including the current year;

(*ii*) the reasons for such action in each case;

(*iii*) the number of cases in which the elections had at first been approved and were subsequently set aside;

(*iv*) the period usually taken by the Government for approving of elections; and

(*v*) the departure, if any, ever made in this respect in any case, with reasons for such departure?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): The information asked for by the member cannot be furnished without a great expenditure of time and labour and, in the circumstances, Government regret they are unable to compile these figures. The election of vice-chairmen of district boards and municipalities does not require the approval of Government.

Straw Ghat at Ramkristopur.

***XLIII. Babu FANINDRALAL DE:** (*a*) Will the Hon'ble the Member in charge of the Marine Department be pleased to state whether it is a fact that the Port Commissioners are trying to remove a ghat at Ramkristopur where straw used to be sold, and have stopped issuing passes in order to lease out the same site to some mercantile firm?

(*b*) Was the previous sanction of the Government obtained before the Port Commissioners took this step?

(*c*) Did the Government receive any memorial or representation from the public or the straw dealers?

(*d*) What action, if any, do the Government propose to take in this matter?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. Kerr): (*a*) The facts of the case are as follows:—With the previous sanction of Government, the Port Commissioners granted in 1919 to Messrs. H. V. Low and Company, Managing Agents, the Standard Flour Mills Company, Limited, a 25 years' lease of a plot of land immediately inshore of the site used for the landing of straw. It was subsequently decided by the Commissioners to grant that firm a temporary lease of the adjoining foreshore in order to facilitate the handling of materials brought in and despatched by river; and another landing place for straw was prepared about 500 yards to the south with a river frontage of 200 feet and a depth of 100 feet. The old wharf had a frontage of 330 feet and depth of 60 feet, but was used by others as well as by straw merchants; bricks, sand and building materials also being landed there. On completion of the new site the straw merchants were given notice by the Commissioners in February, 1921, to remove their business, but on a representation by the former that the land would not be sufficiently firm until after the monsoon, and on an assurance by their representative that no further objection would be raised, it was decided to allow them to continue to use the old landing place until the 30th September, 1921. On a further representation by the dealers an extension up to the 17th October was granted, since which time, Government are informed, the new landing place is being used.

(*b*) No. The grant of the temporary lease by the Commissioners to Messrs. H. V. Low and Company, does not require the sanction of Government. The sanction of the local Government under section 55 of the Calcutta Port Act, 1890, is necessary only when a lease is for a period exceeding 10 years.

(*c*) Yes.

(*d*) The transfer of the site is a matter of general administration which is entirely within the province of the Port Commissioners, and

Government have replied to the memorialists that they do not propose to interfere.

Percentage of Muhammadans in Government employ.

*XLIV. **Maulvi EKRAMUL HUQ:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing the total number of employees and the number and percentage of Muhammadans among them in the upper and lower divisions of the Bengal Secretariat clerical service, and in the Provincial, Subordinate and Ministerial services of all the departments under the Hon'ble the Members and the Hon'ble the Ministers?

(*b*) What proportion of the total number of appointments in each department is reserved for duly qualified Muhammadans?

(*c*) In what departments and services referred to in clause (*a*) has the rule regarding a proportionate number of appointments for Muhammadans not been observed?

(*d*) What steps are the Government taking to see that the rule is strictly observed in all the departments?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*a*), (*b*), (*c*) and (*d*) To obtain the information desired would involve an expenditure of time and labour that in the opinion of Government would be incommensurate with the utility of the information. A yearly return is submitted to Government as regards the Secretariat and attached offices showing the steps taken during the year to attain the prescribed percentage in the matter of Muhammadan recruitment. As regards district offices, a yearly return is submitted to the Commissioner, who records a resolution on the return which is submitted to Government. The matter therefore is constantly under review.

Unstarred Questions

(answers to which were laid on the table).

Fall-off in the number of cases, civil and criminal.

132. **Babu DEVENDRA LAL KHAN:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to place on the table a comparative statement showing, under different heads, the number of cases, civil and criminal, in Bengal between the months of January and September in the year 1920 and in the corresponding period in 1921?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that there has been a fall-off in the number of cases in the Appellate Side of the Calcutta High Court this year (1921) in comparison with that of 1920? If so, is the Hon'ble the Member in a position to state the causes to which this fall-off is due?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) and (*b*) The member is referred to the High Court's annual reports on the administration of civil and criminal justice, which contain the judicial statistics of the Presidency. To supply the further information required would entail an undue amount of labour on, and interference with the ordinary work of, the officials of the High Court, which Government would not be justified in asking from the Court.

Proportion of Muhammadans in Government service.

133. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing, for the Presidency of Bengal, the numbers of Hindu and Muhammadan ministerial officers in the Upper Division of the offices of:—

(*i*) Magistrate-Collectors;

(*ii*) District and Sessions Judges (including Additional District and Sessions Judges);

(*iii*) Subordinate Judges and Munsifs; and

(*iv*) Commissioners of Divisions?

(*b*) Will the Hon'ble the Member be pleased to state whether the prescribed proportion of Muhammadans to Hindus has been maintained in the Upper Division of these offices?

(*c*) Will the Hon'ble the Member be pleased to state whether it is a fact that there is no Muhammadan officer in the Manufacturing Department of the Alipore Juvenile Jail?

(*d*) Are the Government considering the desirability of appointing a Muhammadan in place of the present head clerk who is retiring shortly from service?

The Hon'ble Sir HENRY WHEELER: (*a*), (*b*), (*c*) and (*d*) The member is referred to the answer given at this meeting to a starred question put by Maulvi Ekramul Huq.

Cholera outbreak in Mymensingh.

134. Mr. S. M. BOSE: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been

drawn to an appeal by Mr. Sasadhar Ghosh, Vice-Chairman, District Board, Mymensingh, calling attention to the widespread outbreak of cholera in a virulent and epidemic form in the Mymensingh district and asking for help?

(*b*) If so, will the Hon'ble the Minister be pleased to state what steps, if any, the Government have already taken and propose to take to cope with the epidemic?

(*c*) What are the figures of mortality in each of the subdivisions of the district, due to this epidemic?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The answer is in the affirmative. Though the outbreak is reported to be widespread it is particularly severe along the lines of railway communication between Mymensingh on the one hand and Jagannathganj and Bahadurabad on the other.

(*b*) and (*c*) The report of the Director of Public Health on the epidemic is laid on the table.

Report referred to in the reply to clauses (b) and (c) of unstarred question No. 134.

The Hon'ble Minister's note of the 2nd instant on the recent outbreak of cholera in epidemic form in the Mymensingh district, I note below for his information the action taken by me in the matter.

2. Soon after resuming my office on the 24th ultimo, I reported to Government about the cholera epidemic. The Assistant Director of Public Health of the Dacca Circle had already been deputed to inspect the affected locality and advise the local authorities and I left for Mymensingh on the 3rd instant.

3. I arrived at Mymensingh on the 4th instant and was met by the Vice-Chairman of the District Board with whom I discussed matters as to how best the outbreak can be met. I then saw first the District Magistrate and the Civil Surgeon and afterwards the Vice-Chairman of the District Board; the District Magistrate, the Civil Surgeon and myself met together and agreed upon a line of action, viz., that the District Board would empower the Chairman of the various Local Boards to administer the anti-cholera work in each subdivision. The District Magistrate promised that as far as possible he would take action to secure the co-operation of the police. In the absence of a District Health Officer, the Civil Surgeon issued instructions to the medical staff in regard to treatment and disinfection and sterilization of water-supplies. The staff of doctors taken up by me (one assistant surgeon, six sub-assistant surgeons and two compounders) were placed under the orders of the District Board who deputed them to work under the Local Boards. Necessary medicines and disinfectants were taken from Calcutta.

4. The District Board had already taken some action to check the progress of the epidemic which was reported to me in their letter No. 5020, dated the 28th October, 1921, copy of which is enclosed.

5. The American Medical Mission and the Bengal Social Service League as represented on the spot by Dr. Knight and Mr. Niogi respectively are also working voluntarily in the district and co-operating with the local authorities concerning anti-cholera measures. They have been provided with anti-cholera vaccine and chlorogen by my department.

6. I also moved the Surgeon-General in the matter. At my instance he has deputed three sub-assistant surgeons and has asked the Superintendent of the Dacca Medical School to recruit nine passed students from the school for anti-cholera work in the affected places.

7. As regards medicines and disinfectants, I supplied each of the five subdivisions of the district with 20 gallons of chlorogen on the 2nd November, 1912. Another hundred gallons of chlorogen was supplied to Dr Knight on the 11th November, 1921. He was also supplied with 800 c.c. of anti-cholera vaccine; 600 c.c. of anti-cholera vaccine was also placed at the disposal of Mr. Niogi of the Social Service League. Leaflets and posters were also freely distributed.

8. The figures for the attacks and deaths from cholera in the Mymensingh district during the week ending 5th November were 1,171 and 722 respectively. During the succeeding week ending the 12th November the corresponding figures were 932 and 457. The outbreak appears to be on the decline.

C. A. BENTLEY,

Director of Public Health.

The 22nd November, 1921.

Letter referred to in paragraph 4 of the above report.

No. 5020, dated Mymensingh, the 28th October, 1921

From—Babu SASADHAR GHOSE, B.L., Vice-Chairman, District Board, Mymensingh,

To—The Director of Public Health, Bengal.

In reply to your letter No. 15384E., dated the 27th September last, I have the honour to inform you that the outbreak of cholera has spread far and wide since in virulent and epidemic form in the district All the subdivisions of the district except Netrakona have been affected. There have been several hundreds of deaths within a very short time.

The District Board has appointed 33 doctors to treat cholera patients. The Civil Surgeon has advertised for more doctors They are all working under the Civil Surgeon. The Assistant Director of Public Health has started disinfection work with the help of three Government doctors he has brought and the Sanitary Inspector of the Board. The Board is most unsparingly supplying medicine according to the direction of the Civil Surgeon and the Assistant Director of Public Health.

The Superintendent of Police was requested to distribute leaflets containing sanitary instructions to literate villagers of affected areas and to instruct the illiterate people to follow the same through thana officers and chaukidars and he has very kindly agreed to do the same. The leaflets have been sent to him.

The District Deputy Inspector of Schools has been requested to do similar work through school teachers. He has got 4,282 schools under his control.

The big zamindars of the district and manager of the wards' estates have been requested to appoint doctors to do treatment and preventive work within their respective zamindaries.

The Khas Mahal Deputy Collectors have been requested to appoint doctors out of Khas Mahal funds for Khas Mahals affected.

The legal bodies of all the subdivisions have been requested to arrange to send young members to distribute medicine, do disinfection work and to teach people sanitary rules.

The Subdivisional Officers have been requested to form local organisations of medical men and volunteers for the same purpose. The cost is to be borne by the District Board.

I have issued an appeal through papers for help from the generous public and also have invited the benevolent societies to help the people of the district in their distress.

I have requested the Secretaries of the local Jansabha, Anjuman and Ram Krishna Mission to come forward to help in this crisis.

I further beg to state that more doctors are required but none are available though due advertisement has been given by the Civil Surgeon. I request you to be so good as to send, if possible, 12 doctors to this Board for the purpose, and medicine.

A Health Officer has recently been appointed and is shortly expected.

District board dispensary in Barrackpore rural area.

135. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that there is no dispensary maintained by the 24-Parganas District Board in the Barrackpore rural area?

(*b*) If so, are the Government considering the desirability of calling the attention of the District Board to the absence of such dispensary?

(*c*) Is the Hon'ble the Minister aware that an application for a new dispensary near Narayanpur in the Barrackpore subdivision was considered at a meeting of the 24-Parganas District Board held on the 24th June, 1919, and that it was recommended for sanction?

(*d*) If so, will the Hon'ble the Minister be pleased to state why nothing further has been done since then to establish the proposed dispensary?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The Chairman of the District Board reports that there is no district board dispensary in the rural area of the Barrackpore subdivision, but the people of the rural area get medical aid from the municipal dispensaries which are in most cases within easy reach and aided by the District Board, 24-Parganas.

(*b*) Government have recently circularized district boards on the need for new dispensaries and hospitals, but it is against the Government policy to interfere in a matter of detail such as this.

(*c*) Government are informed that the Sanitation Committee's proposal to establish a dispensary at Narayanpur was accepted by the District Board at its meeting held on 15th July, 1919.

(*d*) Government are informed that want of funds has prevented the District Board from taking further action in the matter, but the district health officer is preparing a revised programme of dispensaries to be opened in order of their urgency.

Demands for Grants.

5A—Land Revenue.

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan) moved (1) "that a sum of Rs. 8,888 be transferred from '5.—Land Revenue—Management of Government Estates' to '41.—Civil Works—Public Works Department' on account of construction of a building for the Khasmahal office at Lalmohan in the district of Bakarganj," and (2) "that a sum of Rs. 871 be transferred from '5. Land Revenue—Survey and Settlement' to '41.—Civil Works—Public Works Department,' on account of certain additions to, and alterations in, the racks and gangways of the existing record room of the Jessore Settlement."

In December, 1920, Government accorded administrative approval to the construction of a building at Lalmohan in the district of Bakarganj at an estimated cost of Rs. 11,388 and the sum of Rs. 2,500 was spent during the year 1920-21. The Board of Revenue have provided for the balance of the cost of Rs. 8,888 out of their grant for the management of Government Estates for the year 1920-21. As the charge is debitable to Head 41—Civil Works—Public Works Department, it is proposed to transfer the amount from one head to another. In 1918 Government accorded administrative approval to the construction at an estimated cost of Rs. 24,968 of the record room at Jessore in connection with settlement operations which are going on in that district. It has now been reported by the Director of Land Records that certain additions to, and alterations in, the racks and gangways of the existing record room are required, at an estimated cost of Rs. 871. As there is no provision for this work in the Provincial Civil Works budget, it is proposed to meet the cost by the transfer of Rs. 871 from "5. Land Revenue—Survey and Settlement" to "41.—Civil Works—Public Works Department."

Maulvi MUHAMMAD ABDUL JUBBAR PAHLOWAN moved "that the sum of Rs. 8,888 which is proposed to transfer from '5.—Land Revenue—Management of Government Estates' to '41.—Civil Works—Public Works Department' on account of the construction of a building at Lalmohan in the district of Bakarganj, be reduced by Rs. 5,000."

I beg to say a few words to support my motion. In the face of the financial difficulties of the Government under the Reforms Scheme, I think it is the duty of the Government and the public to try in every possible way to retrench in every department of the administration. I think if this policy of retrenchment is not adopted, it will not only make the Reforms a failure, but it may lead Government to future troubles

The other day His Excellency the Governor said that to meet the financial situation, duties on stamps will have to be enhanced and amusements taxed; I think no one will oppose the tax on amusements, but I am afraid there will be a great outcry, and discontent will arise throughout the country if there is an increase of stamps duty, of which the non-co-operators will take advantage. So I request the Government to adopt a policy of retrenchment. Some may say that petty amounts like this—Rs. 5,000—should not be taken account of, but I say that these petty things are not to be disregarded, because larger things are composed of petty things. With these few words, I move the motion standing in my name.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: All that I can understand from the speech of the gentleman who has just moved an amendment to my motion, is that it is very wrong, in view of His Excellency's speech in the Council the other day, to allow expenditure of money and permit extravagance. There is no question of our being extravagant or spending money except what is in the budget. We have to finish this work as I mentioned just now In the former case, we have already spent Rs. 2,500 and another Rs. 8,888 is required and is expected to be spent this year. The construction of the building, which has been started, must be finished, and consequently it is quite clear why I cannot accept this motion.

As regards the additions and alterations in the record room, these have already been made, and the money already spent. All we want is Rs. 871, and I think it is rather childish to bring in a motion of this kind at this stage, as the mover knows that the building has been started and must be completed this year.

The amendment was put to the vote and declared lost. A division was demanded with the following result:—

AYES.

Pahlawan, Maulvi Md. Abdul Jubbar.

NOES.

Addy, Babu Amulya Dhone.
Afzal, Nawabzada K. M. Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Azaharuddin.
Ahmed, Maulvi Emaduddin.
Ahmed, Maulvi Rab Uddin.
Ali, Mr. Syed Erfan.
Ali, Munshi Ayub.
Arhamuddin, Maulvi Khandakar.
Azam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Barton, Mr. H.
Birla, Babu Ghanshyam Das.
Bose, Mr. S. M.
Charmakar, Babu Rasik Chandra.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Cochran, Mr. A.
Das, Babu Bhishmadev.
Das Gupta, Babu Nibaran Chandra.
Desé, Rai Bahadur Pyari Lal.
Dutt, Mr. Ajoy Chunder.
Duval, Mr. N. P.
French, Mr. F. C.
Ghose, Mr. D. C.
Goode, Mr. S. W.
Haq, Maulvi A. K. Fazl-ul.
Hopkyns, Mr. W. S.

Huq, Maulvi Ekramul.
Karim, Maulvi Abdul.
Karim, Maulvi Fazlul.
Kerr, the Hon'ble Mr. J. H.
Khan, Babu Devendra Lal.
Khan, Maulvi Md. Rafique Uddin.
Lang, Mr. J.
Law, Raja Reshee Case.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble.
Makramali, Munshi.
Marr, Mr. A.
Mitter, the Hon'ble Mr. P. C.
Mukherjee, Babu Nitya Dhon
Mukherji, Professor S. C.
Mukhopadhyaya, Babu Sarat Chandra.
Mullick, Babu Nirode Behary.
Payne, Mr. C. F.
Rahim, the Hon'ble Sir Abd-ur.
Raikat, Mr. Prasanna Deb.
Ray, Kumar Shib Shekhareswar.
Robinson, Major-General W. H. B.
Roy, Mr. Bijoy Prosad Singh.
Roy, Rai Bahadur Lalit Mohan Singh.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Abdus.
Sarkar, Babu Jogesh Chandra.
Sarkar, Babu Rishindra Nath.
Stephenson, Mr. H. L.
Swan, Mr. J. A. L.
Wheeler, the Hon'ble Sir Henry.

The Ayes being 1 and the Noes 57, the motion was lost.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I am sorry to find that a member of Council is willing to put the other members to unnecessary inconvenience in this way; he ought to have known better. He knew full well the feeling of the House, and knowing that he ought not to have called for a division frivolously and wasted the time of the Council.

The original motion was then put and agreed to.

25.—Jails and Convict Settlements.

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Henry Wheeler) moved "that a sum of Rs. 500 be transferred from the supplementary grant of Rs. 4,000 under '25.—Jails and Convict Settlements' voted in the July session for appointment of a special guard for political prisoners, to '26.—Police' on account of a deputation allowance to the men deputed from the Eastern Frontier Rifles to the Alipore Jail, for guarding political prisoners."

On the 15th of July last, it will be within the recollection of the Council that the Hon'ble Sir Abd-ur-Rahim obtained their approval to a special supplementary grant of Rs. 4,000 in order to provide a special guard for certain prisoners who had been removed from the Andamans to the Alipore Jail, and were given there separate and special accommodation which necessitated the employment of 10 warders and 2 head warders to guard the barracks in which they were placed. The need of this guard arose in April last, but it took time to recruit it and the men were not obtained till August. In the meantime, to meet the immediate necessity, we lent men from the Eastern Bengal Rifles as a temporary expedient, and it is proposed to give them, following the precedent of previous occasions, a deputation allowance of four annas per day to meet their expenses during their stay in an expensive city like Calcutta. The total expenditure involved is Rs. 500 only, and it will be met from the grant of which the Council has already approved; it is therefore

a transfer from one major head to another, and, as such, requires the sanction of Council.

The motion was then put and agreed to.

26.—Police.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Henry Wheeler) moved "that a sum of Rs. 30,938 and Rs. 5,000 be transferred from '26.—Police—District Executive Force—Petty construction and repairs and revision of boat establishment for circle inspectors', etc.,' respectively, to '41.—Civil Works—Public Works Department,' to meet the cost of temporary buildings for accommodation of the emergency police force at Asansol."

On the 20th of April last, I explained to the Council the circumstances in which we thought it necessary to add to the police force located at Asansol in order to afford more adequate protection to the very large interests which centre in that subdivision, and to safeguard them against lawlessness on the part of the large labour population which is now congregated there. The proposal which I now make is consequential to the sanction then given to recruit this additional force. The force clearly required to be accommodated, and no other local buildings being available, the proposal has been made to acquire land and build barracks for them. The land is about to be taken up, and the present vote has reference to the buildings. It is proposed to construct an inspector's bungalow, two constables' barracks and three sheds and a well, and to find the money from two heads, which it will be observed, are already part and parcel of the police budget. But the construction of the buildings being a Public Works matter, here again, we have to transfer the money from one major head to another. The cost can only be met out of the Police budget by postponing other schemes, but the urgency of this matter is so great that we do not think it can legitimately be postponed, and we are of opinion that we should proceed at once with the construction of these buildings. The buildings will be of a semi-permanent type in the interest of cheapness, as at the moment we cannot afford to build to permanent specification, but they will be of a type which will last for some time, and when we find it possible to replace them permanently the materials, such as iron, etc., will not be wasted.

Babu KISHORI MOHAN CHAUDHURI moved "that the sum of Rs. 30,938 which it is proposed to transfer from '26.—Police—District Executive Force—Petty construction and repairs' to '41.—Civil Works—Public Works Department' to meet the cost of temporary buildings for accommodation of the emergency police force at Asansol, be reduced by Rs. 25,000."

My principal objection is that if it be necessary to do anything for maintaining peace and order in the labouring population, who are not

actual inhabitants of this province, and who are imported for the benefit of the mining and other industries, the people for whose benefit they work should be made to pay for them. If not the whole, a substantial portion of it. But I see no indication of such a proposal in the speech of the Hon'ble Sir Henry Wheeler. I, therefore, hope that this Council should take my suggestion into consideration and ask the people who are benefited to make a certain contribution for the police to be stationed in the mining areas. The police force proposed to be stationed at Asansol is not for the benefit of the general public but only for a certain section of the public? So I think the expenses of maintaining it should not be met from the general revenues. If we refuse to sanction this demand the people who are interested in the affair would be obliged to make their own arrangements, that is, they would pay for the police they require. Although it is said to be a temporary measure, but the amount asked for is a pretty large one. We are going to spend Rs. 37,000 for the building and that for the accommodation of only 100 people. I do not understand why so large a force should be needed there and how can it be a temporary arrangement if their presence there is necessary for the maintenance of peace and order. At present they are located at Burdwan and when occasion arises they are taken there. Asansol is only a few hours journey from Burdwan and the force can easily and without much difficulty go from the latter place to Asansol when they are required there. But if the scheme is not to be abandoned I submit that the people for whose benefit this force is to be maintained should be made to contribute at least a good portion of the cost.

With these few words, I bring forward this amendment for the consideration of the Council.

Kumar SHIB SHEKHARESWAR RAY: Though this is a new demand yet it shows that at last it has been possible to effect some economy in the police grants already made and I cannot help congratulating the Hon'ble Member on the economic management of the Police Department. When during the last budget debate some of us objected to the police demand, thinking that retrenchments were possible, if they were only attempted, we were called irresponsible and perverse. We were also assured at that time on the highest authority possible in this Council, that no retrenchments anywhere were possible, and that only the absolutely indispensable demands were pressed. I am, therefore, very glad to see that the Hon'ble Member has changed his opinion since then, and has found out that retrenchments were possible: Rs. 5,000 which was set apart as lump provision for the revision of boat-establishments and Rs. 31,000 for petty repairs have after all been found unnecessary and not indispensable, thus proving once more that responsible Members of the Government, like all other common human beings, do err, or can be misled by their very efficient staff. Once I had the honour of being complimented by the Hon'ble Member that police demands stick

in my gorge, but I hope that our Hon'ble Member has by this time learnt by experience that it is not always proper to swallow whatever is purveyed to him by his subordinates. I hope this instance will be so remembered by all our Hon'ble Members and Hon'ble Ministers that they be kind to us, and not brush aside our suggestions as emanating from irresponsible quarters.

But now to the demand itself. From the memorandum circulated to us, I find that Rs. 35,938 is only demanded now as the estimated cost of some temporary buildings. But we have been so often regaled with demands for unfinished buildings and all that, that we naturally look askance at these things. We are familiar with the Government methods and have learnt the truth of the proverb—"Give him an inch, and he will have an ell." Before granting we naturally feel curious to know whether this amount of Rs. 35,938 is the total estimated cost of the building or only this year's estimate of an insignificant part of the greater whole that is to come up next year. Our Hon'ble Member, I hope, would pardon this, our natural curiosity, and satisfy us with an authoritative pronouncement to be left on record for next year's use.

And, when we have seen in the last Gazette that about 30 bighas of land are going to be acquired for this temporary purpose, our suspicion is roused that this matter is not going to end with this Rs. 36,000, and in this connection I cannot help referring to the debate which we had on the 20th of April last. The Hon'ble Member had said—

> At present at Asansol we have a small force only—a sergeant, 2 head-constables and 24 constables. Our proposals contemplate the addition of an inspector, a sergeant, 6 head-constables and 100 constables, at a recurring cost of Rs. 37,842 and non-recurring cost of a little over Rs. 5,000 The scheme, I submit, is nothing more than a reasonable insurance against possible risk. But I have every wish to meet the Council, as far as I can in their desire for economy, and I have given examples already in which we have acted with reluctance in the matter of police expenditure. In this present instance I am willing to give another. There will be some difficulty about housing these men, and I am willing to start with an addition of 50 constables only, with a corresponding reduction in subordinate officers . . . The budget provision is for Rs. 20,000. Without calculation, I could not tell exactly what reduction is possible, but I think I may safely knock off Rs. 7,500.

So, he had expressly stated that the non-recurring cost, apparently for buildings, etc., would amount to a little over Rs. 5,000 and he very magnanimously, we are thankful for it, consented to knock off Rs. 7,500 from the demand of Rs. 20,000. I do not know if by a little over Rs. 5,000 the Member meant that Rs. 5,000 already provided for, together with this Rs. 36,000, *i.e.*, a total of Rs. 41,000. It seems to be a very good "little more" on the previous authoritative pronouncement.

At that time, having a very reasonable suspicion of this slow but sure method of gradually increasing demands for brick and mortar activities, Rai Mahendra Chandra Mitra Bahadur had suggested the location of the emergency force at Chinsura, a place within a few hours

urney from Asansol, and where Government buildings are lying vacant, id accommodation is easily available. At least it should remain where now is, *i.e.*, at Burdwan, a place within three hours' journey, and from here more than a dozen trains start for Asansol. However, we now ome to gather the reason of that day's magnanimity and the superb nocking off of Rs. 7,500 for this allocation of sanctioned grants was erhaps even then in view. But we must be very thankful, as we are ften enjoined to be, for the extreme candour with which we are treated.

We are having also other new buildings for the quartering of the mergency police force in other places, too. In the 24-Parganas for the ousing of 672 policemen, a building is being built costing us Rs. 28,000. n Hooghly for the housing of 273 men only Rs. 11,722 has been sanc- ioned. But here in Asansol for the temporary accommodation of about 0 people we are asked to sanction Rs. 41,000 or thereabouts.

His Excellency the Governor, in his opening speech of the present ession of the Council, had said—

> We have decided that in the matter of civil works the activities of the Public Works Department next year must be confined to works actually in progress, no ew works of any kind being taken up.

'hat was the assurance which His Excellency gave us. Does it mean hat only the buildings concerned with Education and Sanitation would ot be taken in hand, and not those of the Police Department, that depart- nent being so much reserved as to be beyond even gubernatorial control? Iay be, we are merely ill-informed, we, the ordinary members!

Next, there are about 150 collieries in Bengal, while in Bihar there re about 250. How do they manage in Bihar? Have they got any pecial emergency force, temporary or permanent, quartered in or near he colliery district? We must have adequate information of all these things before we can launch into any such big building schemes

In this connection, I feel bound to remind the Council and the Hon'ble Member that a Police Committee is sitting expressly for the purpose of retrenchments. Why not wait for their proposals? Why not put up these things before them and have their suggestions? This police force is not without accommodation at present, then why this unseemly hurry in rushing through with a temporary building costing more than Rs. 40,000? We are, however, very reasonable. We allow a grant of about Rs. 15,000 which to all must appear, sufficient for such a temporary purpose. I appeal to the House to put a stop to this sort of extravagance. I ask, pray or entreat, whatever you like, Sir, the Government, to be a little more reasonable in its expenses regarding the police.

Mr. BIJOY PROSAD SINGH ROY: I rise to oppose the amendment proposed by Babu Kishori Mohan Chaudhuri. I must confess that I fail to appreciate his arguments and those of his supporter, Kumar

Shib Shekhareswar Ray. The Kumar's suggestions are impracticable. It may be too late sometimes to take the police force from Chinsura and other distant places to protect the mining population in Asansol. The owners of the mining industries are indispensable part of the general public and on their safety depend the safety and prosperity of a large number of industries in this country. Babu Kishori Mohan Chaudhuri proposes that a special tax should be realised from those miners for whose sake the police force is necessary. That is a bad principle. In that case Calcutta ought to pay extra tax for maintaining large police forces for its protection. With these words, I beg to oppose the amendment

Mr. HUSEYN SHAHEED SUHRAWARDY: It is with extreme regret that I oppose the amendment of Babu Kishori Mohan Chaudhuri and Kumar Shib Shekhareswar Ray, that undoubted authority in this Council on police retrenchments, and I do so not because I do not sympathise with him but on a question of principle. In the last budget discussion when some of us did not oppose the Government in its demand for nearly two crores of rupees for the police, we did so, not because we at that time did not feel that too much money was being asked for by Government, more money than we could possibly spare, but because we could not point out definitely where retrenchments could effectively be made. The Council later thought fit to rectify what I consider to have been a mistake made in a moment of generosity. Subsequent to that the Police Retrenchment Committee was appointed. The Police Retrenchment Committee is meant to inquire into what possible retrenchments can be made in the Police Department, and I am sure they will also deal with the principle whether the mining industry or any other particular industry, protected as such, should not be made to pay for the protection which they desire from the Government. Therefore, as a matter of principle is involved in this question, which needs considered judgment and deliberation I feel that I cannot but for the time being oppose the amendment of Babu Kishori Mohan Chaudhuri.

Babu AMULYA DHONE ADDY: I entirely agree with Babu Kishori Mohan Chaudhuri that necessary steps should be taken for the retrenchment of police expenditure, but I am really sorry to find that in this particular case, I cannot but oppose his amendment. The proposal is to acquire a certain part of land in Asansol and erect a temporary building for the accommodation of certain constables for the protection of the coal-mines of our province. I disagree with him especially on the principle which he proposes to lay down. He suggests that it is the proprietors of collieries who should be called upon to pay for this acquisition of land and the erection of the buildings. I beg to submit that it is the primary duty of Government to protect the life and property of the people and not of the persons who are interested. If we take into consideration their interests, I must say that the coal industry has

ready been seriously affected by the prohibition of export of coal from engal to foreign countries, and secondly, there has been a great striction as to the supply of wagons for the transport of coal from one ation to another. Their interest has already been affected by this rohibition and restriction and some of the proprietors of collieries have ways been in danger of cooly disturbances especially recently, at the istance of the so-called non-violent non-co-operators. It is therefore esirable that necessary steps should be taken at once for the preven- on of the disturbance. Prevention is better than cure. If we do not ake necessary precaution, what would be the result? If there is a isturbance in the collieries, we will not get supply of coal. It will eriously affect the other industries of India. That is the special reason or which I am afraid I am obliged to oppose the amendment.

Maulvi MUHAMMAD ABDUL JUBBAR PAHLOWAN: I oppose he motion by Babu Kishori Mohan Chaudhuri. Although retrenchment s necessary, yet one cannot but support the expense which is most ssential. The nature of the demand shows that accommodation for he emergency police force is necessary. If these demands are reduced r rejected then where are the police, the main factor in keeping peace nd order in the country, to live? With these few words, I oppose the notion.

The Hon'ble Sir HENRY WHEELER: I cannot but feel some dmiration for the ingenuity with which the two principal speakers gainst this resolution have evidently racked their brains to discover ome grounds of objection, some arguments, however flimsy, that can, vith any show of plausibility, be put before this Council for rejecting his demand, but I will endeavour to answer their objections as briefly s possible.

Taking first those of Babu Kishori Mohan Chaudhuri, I understood him to begin by saying that he did not oppose the proposal on its merits and that if it was necessary in the interests of peace and order he would agree; but at the end of his speech his courage failed him and he came round to the old objections. He made great play with the contention that this scheme was temporary only, which, of course, is not the case. It is a sequel to a proposal which was put forward and approved at the time of the budget discussion. It is merely a demand for the accommo- dation of a force the employment of which was then sanctioned, and permanently sanctioned. There is no likelihood that the mines are going to disappear from Asansol or the Kulti works, for instance, to close down, and as the reason for stationing these men at Asansol is permanent, so also will be the provision. What I did say was that in view of the urgency of the matter, and despairing in our present financial position of being able to find funds for a *pucca* building, we proposed to put up buildings of a semi-permanent type, regarding which the Inspector-General of Police writes that they "have been so arranged that

the permanent structures can be put up without dismantling them; if they finally have to be dismantled, we expect to realise a good part of their cost, as the framework is of iron and not of wood as in temporary buildings; tiles are being used in place of thatch, and we expect also to get something from the sale of these." But this type of buildings adopted does not govern the permanent need of the force inself.

Apart from that argument, Babu Kishori Mohan Chaudhuri relies most on his general theme that those interests for whom police protection is sought should pay. Now that is a matter about which we heard a certain amount of discussion in connection with the budget debate, and the very great difficulties attendant on the practical application of the theory were then pointed out. In this instance it seems to me that Babu Kishori Mohan Chaudhuri has chosen a particularly unfortunate case to which to apply the theory he advocates He says, "Let the coal mines pay; they employ the labourers, so let them pay." But is it only the coal mines that are interested? What about the zamindars? The value of their properties has been vastly increased by the discovery of minerals underneath. What about the labourers who are getting far larger wages in the mines than they would earn in ordinary agriculture? What about the railways? The railways live on coal, and much of this coal must be derived from the Asansol fields. Are they also to pay? Again, as Babu Amulya Dhone Addy has rightly pointed out, what about Calcutta which could not go on for 24 hours without coal? Any disorder in the coal-fields which seriously interrupted the supply of coal to Calcutta and its neighbourhood would gravely affect the city. Are we to embark on this theoretical wild goose chase in order to avoid giving sanction to-day to what I submit is an eminently reasonable proposal?

Turning now to the arguments of Kumar Shib Shekhareswar Ray, I will deal with them *seriatim*. First of all he has thought fit to argue that, since I have said that the money can be found by reappropriation from other heads in the Police budget, I must have been wrong in contending on an earlier occasion that economies in police expenditure were not feasible. I thought I had anticipated this criticism by explaining in my opening remarks that it merely means that we are scrapping other things. When I urged in the course of the budget debate that the Police budget as a whole was not susceptible of the economies which some members proposed to effect in it, I obviously took it for granted that the Council, equally with myself, assumed the necessity for maintaining a reasonable standard of efficiency in the department. Of course, if requirements are sacrificed right and left, savings could be effected, but the argument of economy should not surely be pushed in entire disregard of efficiency, and the score so elaborately presented by the Kumar is not a real one.

The Kumar then asks me if this sum is the total estimate. According to the estimate, it is. But I remind the Council that we have taken up an area of land, and doubtless my successors will in time try to put

up permanent structures on it, for which a new demand will have to be made. However, the present estimate, according to the advice of the Public Works Department, covers the temporary buildings which it is sought to put up.

The Kumar's next point was that in the course of the April discussion I had obviously underestimated the non-recurring cost of this scheme by putting the figure at Rs. 5,000 only. I pointed out to the Council then that there might be difficulty about housing; but as a matter of fact we were in hopes that we might be able to carry on for the time being by hiring. That course, however, has not proved feasible and hence the present proposal, but the non-recurring cost of which I spoke before had obviously nothing to do with buildings or anything else beyond the actual staff which was then put up for sanction.

The Kumar winds up with arguments which really seek to set aside the decision come to by the Council in April last. He sees, in fact, no necessity for locating the force at Asansol at all. But all arguments in that connection have already been laid before the Council, and I do not think it is necessary to go over the whole ground again. The merits of the proposal have been explained and accepted. The force is needed on the spot, and I do not think its purpose will be ensured if it is to be brought up from a distance with all the risk of delay.

For these reasons I submit that the demand made is a reasonable one, and I would ask the House to vote it.

The following amendment was then put and lost :-

"That the sum of Rs. 30,938 which it is proposed to transfer from '26.—Police—District Executive Force—Petty construction and repairs' to '41.—Civil Works—Public Works Department' to meet the cost of temporary buildings for accommodation of the emergency police force at Asansol, be reduced by Rs. 25,000."

The original motion was then put and agreed to.

Government Bill.

The Calcutta Municipal Bill, 1921.

The discussion on the Calcutta Municipal Bill was then resumed.

Khan Bahadur ABDUS SALAM: I thought it my duty in reference to Moslem public opinion both inside this Council Chamber and outside it, when the Hon'ble Sir Surendra Nath Banerjea introduced the Calcutta Municipal Amendment Bill, to oppose its introduction and call for a revision, for the reason that the Bill contained a violation of the basic and fundamental principle of Moslem political and constitutional life under the Reforms Scheme in this country. I opposed it also on the ground that it would lead to an acrimonious debate and reopen the old bitter

controversy about communal representation and would rekindle afresh racial, religious and political animosity between the Hindu and Muhammadan communities. I wanted to avoid a recrudescence of the antagonistic feelings unhappily displayed in the Partition days. In pressing for a division, I wanted to have it placed on record that Muhammadan members in this Council Chamber almost unanimously and unitedly protested against a measure which contained a flagrant and outrageous violation of the basic and fundamental principle of Moslem political and constitutional life, under the Reforms Scheme in this country.

Just like the Europeans, the Muhammadans form a minority in Calcutta and India generally, though not in Bengal, where we outnumber the Hindus. We are 52 per cent. here in Bengal and the Hindus 48 per cent. With the idea of coming to a compromise as to representation some leaders of both the Muhammadans and Hindus entered into a pact at Lucknow in which 40 per cent. of Muhammadan representation for Bengal was decided upon. I consider this pact between some leaders, so far as Bengal is concerned, to have been a great mistake—a crime, nay, a blunder worse than a crime for which those misguided Bengal Moslem leaders would be responsible to future generations. The political association that I represent has always insisted on our getting 52 per cent. representation in Bengal seeing that that was our numerical proportion. If this were accepted, there would have been no attempts to-day to perpetrate this tyranny of majority over minorities. What is the reason that while the Hon'ble Minister wants to grant communal representation to the Europeans through the Chamber of Commerce and Trades Association he refuses it to the Muhammadans? Is it because Europeans have wealth, and influence and education on their side, while the Muhammadans are comparatively powerless, devoid of wealth and devoid of education? He evidently thinks that by placating the Europeans for the time being he will be able to isolate and crush the Muhammadans? If that is the idea that lies at the back of his mind, he forfeits his title to the respect and confidence of Muhammadans. Sir Surendra Nath claims that he has shown great deference to public opinion, in that he held a conference to discuss the subject. I challenge this claim. It is true that he held a conference—I was invited to give my opinion at that conference on the question of Muhammadan representation. I was the only Muhammadan present at the time when this question was taken up and the rest were Hindus and Europeans, though two Muhammadans turned up after the question had been voted.

The Hon'ble Sir SURENDRA NATH BANERJEA: He is quite wrong.

Khan Bahadur ABDUS SALAM: Am I to be interrupted in this way?

The DEPUTY-PRESIDENT: Go on, please.

Khan Bahadur ABDUS SALAM: I pressed at the conference the desirability of Moslem communal representation through separate electorate. The Hindu members excluding Sir Surendra Nath approved it, and then in spite of my protest, Sir Surendra Nath put the question to vote, with the result that the Europeans supported my point, which was carried by majority in spite of united Hindu opposition. I have been asking for a copy of the authentic proceedings of that conference from Sir Surendra Nath but without effect.

Although the conference by a majority of votes approved of communal representation in the case of the Muhammadan community, Sir Surendra Nath has rejected it in his draft Bill, though Government Resolution of July, 1913, and Lord Sinha's Bill of 1918, accepted it and yet, forsooth, he is taking credit to himself for having shown deference to public opinion!

In framing the Bill he says that he has followed the main recommendation of the conference, but I assert that to say so in respect of this particular point is a travesty of facts.

The Hon'ble Sir SURENDRA NATH BANERJEA: The statement is quite false.

Khan Bahadur ABDUS SALAM: Am I to be liable to indecorous interruption in this way? The Hon'ble Minister, in his speech, has treated us to a great deal of literature—a great deal of idle political shibboleths, catch phrases and catchwords borrowed copiously from what he deems his holy constitutional code, the Montagu-Chelmsford Report. He thinks that the words in that holy constitutional book of his are words of wisdom which will hold good for eternity and are unchangeable. I am amazed that a politician of Sir Surendra Nath Banerjea's standing should take his stand on the words and opinions contained in that Report—words and opinions which were put forward tentatively to invite criticism. It is true that at first Mr. Montagu held the opinion that India should not have communal representation. He invited criticisms on his tentative proposals, and then after they were subjected to criticisms, after the Indo-European Association, the Central National Muhammadan Association, the All-India Moslem League and other public bodies, such as, the European Association, the European Chambers of Commerce and the All-India Moslem League, etc., submitted their veiws on the question, Mr. Montagu himself recanted his political faith in the political shibboleths which he dreamt of while living in England. Only a year had elapsed after his Report was out, when he said he had changed his opinion and thought that India should be represented on a communal basis and that communal representation should be given to the Muhammadans and Europeans because they represented great important and historical minorities. And the joint Parliamentary Committee also accepted this principle of communal representation, which is now embodied in the Government of India Act, to which we all owe our present political

position. In the face of these considerations for Sir Surendra Nath to take his stand on the tentative opinions of Mr. Montagu—opinions subsequently disavowed by Mr. Montagu himself, exploded by the public bodies, rejected by the joint Parliamentary Committee—is a sight that does not redound to his credit as a sound or fair politician.

Some members have argued that if communal representation is given to the Muhammadans, will not the Chinese, the Jews, the Jains, the Marwaris, etc., be justified in demanding similar privileges? The idea is simply ludicrous. Perhaps they have not read Indian history and do not know the conditions under which Indian political life has grown up. Have the Muhammadans fallen so low that they should be treated on the same level with the Marwaris, the Jews and the Chinese, etc.? Is it not a fact that Muhammadans, unlike the Chinese and the Jews, etc., have lived and ruled in this country for seven centuries and mean to live in it?

The DEPUTY-PRESIDENT: Order! order! That is not the question before the House.

Khan Bahadur ABDUS SALAM: Political influence of Muhammadans is different from that of communities like the Marwaris, Chinese, and the Jews, etc. I wanted to bring home these points to the Council. We, the Muhammadans, have political influence, historical heritage and numerical strength and permanent connection which those enterprising communities have not got.

I have said that at a conference at Lucknow where the Hon'ble Minister was also present, communal representation to the extent of 40 per cent. was decided upon in favour of Muhammadans in Bengal. What happened afterwards? What happened with the Franchise Committee? Our Minister was also a member of the Franchise Committee. I was examined as a witness on behalf of the Central National Muhammadan Association. Why did he not dare to put the question to me challenging our claim to communal representation? He never asked me any question about communal representation. Nobody challenged that point at all. The committee did not feel any need to discuss the point, for it was taken for granted that communal representation was absolutely necessary under the existing conditions of life in India in spite of the glib talk of nationhood and such phrases. Florid rhetoric, rounded periods and copious quotations from the Montagu-Chelmsford Report do not change facts. Here we know where we are and the idea of "nationhood" presupposes the fact that the Hindus and Muhammadans are genuinely friendly and united in their work and life and ideal, but we must take things as they are. We must face facts and not build castles in the air, and merely say that we have established nationhood, so let us banish all racial distinctions. I appeal to the Hon'ble Minister to honestly say if the Hindus and Muhammadans have blotted out all distinctions between themselves. I was 32 years in Government service and I know something of the districts in the province and I know also what lives

Muhammadans lead there, but I refrain from unveiling the picture, lest I should further add to the bitterness of this controversy, which is not of my own seeking, and the responsibility for which must rest on the broad shoulders of Sir Surendra Nath, who in his dark days, whilst under the cloud of Government displeasure, abounded in professions of friendship for Muhammadans.

By giving 13 seats to Muhammadans, the Hon'ble Minister has virtually recognised the fact that even in the city of Calcutta there should be communal representation for Muhammadans in spite of his being obsessed with the idea of nationhood. After he has reserved 13 seats it does not lie in his mouth to say that there should not be communal representation for Muhammadans. The question is now narrowed down into whether it should be through mixed electorates, separate electorates or nomination. Muhammadans prefer separate electorate to a mixed electorate, because a Muhammadan returned by a mixed electorate will represent the preponderating Hindu element of a mixed constituency, and will not represent Muhammadan views. The Hon'ble Minister has been pleased to say: "The system of communal representation would be an innovation to the municipal legislation of the province." I challenge the truth of this superficial observation why, all along since the constitution of those self-governing local bodies, communal representation on these bodies was conceded to the Muhammadans through the door of Government nomination. Again in the year 1906, when the Muhammadans foresaw what was coming, an All-India Moslem deputation, headed by His Highness the Aga Khan, waited upon Lord Minto, the then Viceroy of India, to pray for the extension of the system of separate Moslem representation not only to the Council but also to local boards, district boards and municipalities. Lord Minto in reply said—

The pith of your address, as I understand, is a claim that in any system of representation whether it affects a Municipality, District Board or a Legislative Council, in which it is proposed to introduce or to increase an electoral organisation, the Muhammadan community should be represented as a community. You point out that in many cases electoral bodies as they are now constituted cannot be expected to return a Muhammadan candidate, and that, if by chance they did so, it could only be at the sacrifice of such a candidate's views to those of the majority opposed to his own community whom he would in no way represent, and you justly claim that your position should be estimated not merely on your numerical strength but in respect to the political importance of the community and the service it has rendered to the Empire. *I am entirely in accord with you.* . . . . I am as firmly convinced, as I believe you to be, that any electoral representation in India would be doomed to mischievous failure which aimed at granting personal enfranchisement, regardless of the beliefs and traditions of the communities composing the population of this continent. The great mass of the people of India has no knowledge of representative institutions, and I agree with you, Gentlemen, that the initial rungs in the ladder of Self-Government are to be found in the Municipal and District Boards, and that it is in that direction we must look for the gradual political education of the people. In the meantime, I can only say to you that the Muhammadan community may rest assured that their political rights and interests as a community will be safeguarded in any administrative reorganisation with which I am concerned and that you and the people of India may rely upon the

British Raj to respect, as it has been its pride to do, the religious beliefs and the national traditions of the myriads composing the population of His Majesty's Indian Empire.

These are the words of the highest authority in the land at the time, namely, the Viceroy of India. He gave a distinct pledge that Mussalmans should get separate communal representation not only in the Legislative Councils but also in the municipalities and district boards. Do you treat this as a mere scrap of paper? I had many things more to say but for want of time I cannot say them.

Here the speaker, having reached the time-limit, resumed his seat.

Maulvi KHANDAKAR ARHAMUDDIN: Two of the provisions of the Calcutta Municipal Bill have come in for a good deal of discussion. Sir Surendra Nath gives 13 reserved seats to Muhammadans and says that they can get more through the general electorate. The last provision is indefinite and is, therefore, unsatisfactory. It would be better to fix a certain number of seats for them, say a third of the total number of seats. This the Government should do if they want that the Bill should have the support of the House and be a useful piece of legislation. The Hon'ble Minister knows and so does every other Member of the Government that the Muhammadans want communal representation in all local bodies. It is not understood why the Government should go against their wishes, while communal representation has been recognised in many places in India as the basis of representation of the important Muhammadan minority. I hope that the Government will realise the usefulness of forcing its views or rather the views of Sir Surendra Nath upon the Muhammadans and accede to their legitimate request for communal representation in all local self-governing bodies.

Maulvi ABDUL KARIM: It appears that the discussion on the Calcutta Municipal Bill has centred round practically one thing—Muhammadan representation. This subject has really overshadowed all the other important matters in the Bill. I had a mind also to take full part in this lengthy debate, but last night, after I had heard the Hon'ble Mr. P. C. Mitter speaking of a compromise in relation to this question of communal representation, I changed my mind and decided not to speak, but at the same time I must say that the reservation of only 13 seats for Muhammadan representatives does not bear testimony to the earnest desire of Government to do justice unto them. Before I resume my seat, I wish to record my emphatic protest against the provision for communal representation and I earnestly recommend that the Hon'ble Minister should take the initiative himself and modify the Bill so as to avoid further unpleasant discussion.

Khan Bahadur Maulvi MUHAMMAD ERSHAD ALI KHAN CHAUDHURI: I fail to understand the line of arguments put forward by the Hon'ble Mover of the Bill in support of his contention that the Muhammadan members should be elected by a mixed electorate, though

their number should be fixed at 13 by the Statute. His solicitude to fix their number in this way and reserve a certain number of seats for them is an indirect proof of his admission that the Muhammadan community requires effective representation in the Corporation. Now, having tacitly admitted this, he cannot consistently urge that such effective representation will be secured by a mixed electorate of Hindus and Muhammadans. What guarantee is there that members returned by such mixed electorates would be true representatives of the Muhammadan community? What guarantee can there be that such representatives will not be Muhammadan representatives in name only but in reality mere mouthpieces of the non-co-operators of the Hindu community? I will make this clear by an illustration. Suppose two Muhammadan candidates appear on the field for a seat. One of them is a non-co-operator and the other is a loyal citizen. Suppose the former is backed by the same class of Hindus and secures the largest number of votes, while the latter secures a much less number of votes, only from the Muhammadans and is defeated. The result will be that the former will be returned and will practically be a representative of the Hindu non-co-operators. I ask the Hon'ble Minister in charge of the Bill whether the Muhammadan community would be effectively represented by such a Muhammadan? The system which he proposes is thus, in my opinion, inconsistent and self-contradictory. I therefore oppose it with all the emphasis that I can command.

Maulvi HAMID-UD-DIN KHAN: I thank the Hon'ble Minister for making a provision of 13 seats reserved in the Calcutta Municipal Bill for Muhammadans. It is, in a way, an admission by the Hon'ble Minister that Muhammadans should get some sort of representation different from other communities or other body corporate. I cannot but thank the Hon'ble Minister again for this provision of 13 seats, but, Sir, the old order has changed, yielding place to new, so what was old and bad should be changed into something new and good. What was good in old days, cannot stand the test of progress and advancement. What suited people in 1899 does not suit them in the year 1921. So, some sort of change is essentially necessary. As change is gradually taking place, the angle of vision is also undergoing great change. Change there must be and none can check it, for it is the order of the day.

As in the case of the law, so it is true in the case of society. What suited Muhammadans 50 years ago does not suit them now. They are in a transitory state. So their aspiration should be regarded with sympathy and moderation as they are in a minority. The Montagu-Chelmsford Scheme has granted Muhammadans 40 per cent. of seats on this Council. If the boon was not granted to the Muhammadans then I doubt, and rightly doubt, that this Council would not have been represented even by one-fourth of the present number of Muhammadan

members, and the interest of the Muhammadans should not have been properly safeguarded and their grievances set right. So if separate representation is not granted to the Muhammadans, then I doubt whether their interests in other self-governing bodies, will be safeguarded.

One of the reasons for separate Muhammadan representation is their poverty. Their poverty stands in the way of advancement and progress and their will is often liable to be dominated by the will of their Hindu creditors, zamindars and lawyers. There is no use denying the fact that, for various reasons, Muhammadans cannot cope with their Hindu brethren, but the principal of them is their penury. There cannot be any comparison between the Muhammadans of Bombay and Calcutta. At Bombay Muhammadans are rich, whereas in Calcutta Muhammadans are poor. In Calcutta, one can find big landlords full-fledged Barristers and rich merchants almost all of them are Hindus. So Calcutta Municipality requires separate Muhammadan representation more than any other place as the will of its Muhammadan voters are liable to be dominated by the rich and influential section of other communities.

If Muhammadans would get separate representation they may return extremists. This argument seems to me to be sound for Muhammadans as well as Hindus may return extremists in case of mixed representations as it entirely depends on the mentality of the voter in these days of non-co-operation. This expression seems to me to be a bogey to influence the voter of the European or Anglo-Indian community for the Bill.

Mr. ABDUR RAHEEM: I join in the chorus of congratulation to the Hon'ble Minister in introducing the Calcutta Municipal Bill. It is indeed gratifying that it should have been given to him who strove unsuccessfully 22 years ago against the existing Municipal Act to move for its appeal.

I do not wish to take up the time of the Council by any reference to the details of the Bill at present, but I would like to say a few words in regard to the arrangements proposed for securing an adequate representation of Muhammadans in the Corporation.

When Government first published their proposals relating to the constitution of the Corporation in 1913, the question of Muhammadan representation was discussed at length in the Corporation who rejected various alternatives—among them the earmarking of seats in plural constituencies—and recommended that special provision was required to secure for Muhammadans proper and adequate representation. In the Bill which Government published in 1917, provision was made for a special electorate for Muhammadans, and 9 seats were allotted to them. The Corporation going back on their own resolution of 1913 expressed themselves against a communal electorate and suggested the earmarking of seats in mixed constituencies. I pleaded in the Corporation for communal representation, but I was outvoted. It is unfortunate

that Government, too, have gone back upon their decision without, as it seems to me, ascertaining Muhammadan opinion and consulting Muhammadan interests.

At the outset, it is necessary to bear in mind the outstanding facts of the situation. Muhammadans form a fourth of the total population of the city, but they are only a tenth of the total number of voters. They are in a hopeless minority in all the wards in the matter of voting strength. During the whole of the life-time of the present Act, we never had more than two elected Muhammadan commissioners in the Corporation, and for some years we have had none. It is necessary, therefore, to make special arrangements for securing an adequate representation of Muhammadans and this, I say, can only be done by communal representation.

The Hon'ble Minister said that he opposed communal representation on principle and that every lover of his country must do so. It is precisely on the same ground that I plead for it.

The chief argument advanced is that class electorates will hinder the growth of Indian nationhood and the evolution of the citizens spirit, and that it will make people think as partisans and not as citizens. I do not agree, because Indian nationhood will grow, not from the obliteration of racial and religious differences, but from heightened sense of common interests, and I hold that the recognition of communal interests will tend towards union, as it is only when each community feels assured in the enjoyment of its right that it will make common efforts and sacrifices.

Nor do I see why communal representatives should think as partisans and not as citizens. Members are now returned to various councils from provinces, divisions or districts. Do they think in terms of the particular geographical units which they represent, or in terms of the country as a whole? Why should they, if the distribution be on ethnological instead of geographical lines, think in terms of communities instead of the population as a whole?

Mr. AJOY CHUNDER DUTT: I rise to a point of order. Have we got a quorum?

The DEPUTY-PRESIDENT: Yes; there is a quorum.

Mr. ABDUR RAHEEM: It is simply a question of grouping, and I would have the whole system of elections on a communal basis.

Another argument advanced by opponents of communal representation is that it will tend to perpetuate differences. The differences between the different communities are based on profound differences in religious beliefs, practices, traditions, civilisation and culture. It is futile therefore to talk of perpetuating distinctions which are already permanent. Besides these differences are not a bar to unity of effort.

Sir Surendra Nath Banerjea told us in his speech that the introduction of communal representation would be an innovation in the municipal legislation of the province. So is the earmarking of seats in plural constituencies. Why does he then adopt the latter?

We were then told that through communal representation Muhammadans could get only a certain number of seats, and would not be allowed to stand in the general electorate, whereas under the system proposed they would get only 13 seats earmarked for them, but might in course of time be able to capture some seats in other wards also. This, I say, is a mere delusion. In wards where seats are not earmarked, you will find the Muhammadan population and Muhammadan voters so negligible that the prospect of their being able to capture any of the seats is extremely remote, however much they might advance in education, wealth and other matters. It is true that the lowering of the franchise will add a number of Muhammadan voters, but it will increase the number of other voters, too, and I apprehend that the disparity will increase and not diminish. I am aware that under the Calcutta Municipal Act of 1888 when every ward returned two representatives, 5 to 9 Muhammadans used to be elected. But the relative strength of the different communities has since completely altered.

The chief objection to earmarking seats to be voted for by mixed electorates is that it gives only the appearance, and not the reality of Muhammadan representation as Muhammadan Councillors will be returned by mixed edectorates which will be preponderately non-Muhammadan. Other communities will be deciding who should present the Muhammadan community and the men elected under such a system might not be real exponents of Muhammadan feeling and interests.

I trust I have shown the necessity for communal representation for Muhammadans. Government have conceded it in the case of election to Councils. One of my friends here has just said that there is no provision for communal representation for Hindus. I respectfully submit that Hindus and Europeans do practically enjoy it, the former by reason of their superior members, wealth and education, and the latter by means of representation through the Chamber of Commerce and the Trades Association. The only other important community which is left out is the Muhammadan. The European and Hindu commissioners in the Corporation have always identified themselves with Muhammadan interests, and I repudiate any statements to the contrary and take the opportunity of expressing our grateful acknowledgments to my European and Hindu colleagues in the Corporation. But I must say that the fact of their advocacy of Muhammadan interests is, however, no reason why Muhammadans should have no representatives of their own.

It was such a pleasure to hear so many of my friends here express their desire for harmony and friendly relations with Muhammadans. So I do. They oppose communal electorate for Muhammadans because

they honestly believe that it will mar the growth of friendly relations. On the other hand, I plead for it because I sincerely believe that it will promote amity. Muhammadans are in a backward condition. Rightly or wrongly, they are discontented at the domination by the more advanced communities, and the tension of feeling which has resulted from local economic and other troubles has been accentuated by extraneous events. Whatever individual Muhammadan members may say in Council, almost the entire body of the Muhammadan thinking population strongly feel that it is only communal electorates which will give them equal chances and opportunities and Muslim public bodies have invariably pressed for them. When Muhammadans ask for communal representatoin, you oppose it on principle. When Government propose to earmark 13 seats for Muhammadans, Babu Amulya Dhone Addy gets up and thinks that the number should be reduced, although it is so obvious that in civic administration which touches the every day lives of the people, it is the total population, not the number of rate-payers only which should be the principle criterion. And all the time you are professing your good will towards the Muhammadan community. I would ask you to consider the effect outside of these proceedings here. Even assuming that any serious principle is involved, would it not be so statesmanlike on the part of Government and so magnanimous on the part of the dominant communities to waive the question of principle in favour of their weaker brethren where no dire consequences are likely to result? Even if Muhammadans get a seat or two extra, why grudge it? What an incalculable effect it will have on local and imperial politics, and on national life generally if, when there is a genuine demand from a weaker community for a concession or privilege, the stronger communities approach it in a spirit of accommodation. I sincerely thank my European colleagues in this Council for their expression of opinion recognising the necessity of communal representation for Muhammadans. I sincerely hope that Hindu members of this Council also will consider our present demand for communal electorate, not from the standpoint of how they can resist it but whether balancing the pros and cons, it would not be best to concede it.

Babu SURENDRA NATH MALLIK: I beg to congratulate the rate-payers of Calcutta on the introduction of this excellent piece of legislation for the Calcutta Municipality which has been so ably placed before this House by the Hon'ble Minister, for a broader municipal life in our city. Nobody will grudge him the pride that he takes and so legitimately takes, in being able to introduce this Bill which has been drawn up on the most popular lines possible—lines for which he fought and dedicated his whole life. I earnestly thank God that He has spared him to enjoy this pleasure to-day. We, in Calcutta, have been labouring, for a long time, under the disadvantage of the present retrograde and reactionary Act, in which the most objectionable feature of three co-ordinate authorities was introduced for no other purpose than for the sole object

of depriving the ratepayers of their voice in their own city. This was done, at the instance, as we all know, as he knows, as everybody connected with Calcutta and the municipal history knows, of an unsympathetic Lieutenant-Governor, under the advice of a Chairman who was highly bureaucratic and never loved the city which he was called upon to administer. They are all dead and I will not name them. Fortunately for us, our patience was never allowed to get much too tired as it would have been, but for the fact that, within 5 or 6 years, after the introduction of this Bill, an Englishman—I must say, a very broad and noble-minded Englishman—a true type of Englishman every inch of him, was entrusted with the administration of the town and that was the late lamented Sir Charles Allen ("Hear," "hear"). It was he who softened the rigour of the Act and in spite of all that was contained in the Act, conceived the idea of framing the Standing Committees, one after the other, against Government, even against the law itself, only with a view to allow the people of Calcutta a larger voice in the administration of their own affairs. It was he, Sir, who developed the District System, with the idea of giving equal attention to all parts of the town and by way of decentralization. To the memory of that great man I sincerely offer a hearty tribute of our respect and gratitude. That policy has since been carried on and I must confess not only carried on but has been largely developed by our present Chairman, Mr. Payne. The Corporation of Calcutta is, indeed, under a deep debt of gratitude to him. I must take this opportunity of mentioning it in this Council, and particularly so, because he is going away from us in the course of a few weeks. He is a man who is always kind and just, but at the same time strong and sympathetic. He is a man who is very impartial to all and at the same time his name is known to be a terror to the miscreants in the Corporation; not only a terror to them but I might also add a terror to those ratepayers, high and low, Indians and Europeans—I repeat these two words, Indians and Europeans—who wanted unjustly to evade the law. He is a great friend of mine and I have known him since he was an Assistant Magistrate and we have worked together all through these 23 or 24 years. I know there is hardly a more sympathetic person than himself, who would help any man in his difficulties when he would come and honestly ask for redress. His knowledge of Calcutta and matters municipal is unique and unrivalled, gained through incessant study and unceasing inspections. Mr. Payne is a man who has never learnt the art of sparing himself in the discharge of his duties and that is the cause of his present breakdown in health and is also the cause of introducing the new system by which the Chief Executive officer and the Chairman must be two different individuals, for it is impossible for one man to carry on the work. To avoid going into details unnecessarily at the present moment I need only say that I heartily approve—and warmly, too—the other salutary changes proposed in the Bill—firstly, a larger representation of the ratepayers in the Corporation with an adequately strong voice

secondly, the widening of the basis of the franchise so as to raise the number of ratepayers to double its present number, if not more; and thirdly, the principle of one vote for one voter, thereby securing greater freedom of thought and action to the commissioners.

But I deeply regret that the Bill has failed to include another salutary measure which was also recommended by the Corporation, namely, votes for women, and I would venture to think that this has been done more out of tradition than out of reason. On the broader question I would draw the attention of the Council to two matters of vital importance to the ratepayers in their daily life, *viz*, the principle of assessment for residential houses and the machinery of hearing assessment appeals. Now, under the new Act, you have perpetuated the idea of making the Chairman the all-in-all in matters of assessment. Please, therefore, let us have an opportunity of saying that there should be introduced a new machinery for the purpose of hearing appeals which will be independent of the Chairman. No man should be a judge in his own case and the present system of the Chairman's assistants being both the Assessor and the Judge to hear appeals is clearly faulty and improper. It is not calculated to inspire confidence in the mind of the ratepayers and neither is it fair to the officers themselves. I do not like to trouble the House by going into these matters in detail, but these will have to be looked into.

I would also draw the attention of the Council to the principle of assessment, as it is in section 151 of the Calcutta Municipal Act. It is most faulty as regards the valuation of lands and buildings. It is a somewhat technical matter and, at the present moment, I must resist the temptation of going into it more minutely. One or two points to which I would like to draw the attention of the House is the question of provision in the Bill for providing sanitary dwelling houses and lands for the poorer people as well as the poor *bhadrolok* class. Section 394 of the present Act is, if I may be permitted to say so, in a very crude condition and certain larger powers ought to be given to the Corporation and those provisions should be made stringent and the duties that are laid upon the Corporation ought to be absolutely unavoidable.

As regards the question of boundaries, I entirely agree with my friend, Colonel Pugh, in the view he has expressed that more should have been taken within the jurisdiction of the Calcutta Corporation; but at the same time I confess that I would wait at least for six years, for we are not in a position to supply filtered water even to ourselves. Unless and until we improve our filtered water system, it would be unjust to include other areas; and as we cannot improve the filtered water-supply for less than six years, and so long as we cannot improve it, it would be unjust on our part to take others into our fold and make them pay higher rates. We have got no right to do that.

There are one or two points with regard to which I need not trouble the Council, *viz.*, the building regulations and *bustees* alignments. I am not sure if I like the somewhat grandiloquent designations of "Mayor" and "Alderman," etc., but I am sure that I hate the designation "Chief Executive Officer." (A voice: "Burgomaster.") That is too ugly a word, though I was the person who suggested it at the Conference, but I do not think that it is dignified enough.

I should think that a more dignified name like the Administrator of the Corporation of Calcutta would be more acceptable. This I shall leave to the members.

Lastly, I come to this most important and delicate question of communal representation. In connection with this I must first make my position absolutely clear at the very outset. I accept this dispensation of the Hon'ble Minister with regard to 13 reserved and earmarked seats for Muhammadans in the Town Council, only because it is his dispensation. I have followed him in the matter of national politics more through evil than through good report, for the whole of my life with all the faithfulness of self-surrender of a soldier to his general, and of a *chela* to his *guru* and at this age, and after 30 years, I am incapable of questioning his commands. I therefore have got to accept it. Whatever might be the justification of introducing this system of artificial elections for the Legislative Councils, I venture to think that there is none whatsoever for introducing it in the Municipal Council. During my long, almost life-long, connection with the affairs of the Corporation, both as a ratepayer and as a commissioner, I have not come across any instance where there has been any difference of interest between a Hindu commissioner and a Muhammadan commissioner on the ground that they adopt different spiritual faiths. I can assure the House with all the emphasis that I can command, that the assertion of unequal treatment of Hindu and Muhammadan institutions or interests is as irresponsible as it is untrue. It is merely a statement of persons who are absolutely ignorant of the situation, men who have not been called upon to take any part in public life. Let my friend, Mr. Raheem, speak all about it. Have Muhammadan interests ever been jeopardised? It has been said without any regard for truth that we, the Hindu commissioners, have disregarded the question of sanitation of Muhammadans. I need not contradict this. It is a most absurd perversion of truth. Hindus and Muhammadans live in the same *bustee*. How could we attend to the sanitation of one without attending to the sanitation of the other? Then it is said that Muhammadan schools were not given the same grants as Hindu schools. We pay only according to the number of heads—so many boys, Rs. 1-8-0 per head, and so many girls, Rs. 2-8-0 per head. For any number of children and to any teacher who applies we pay at that rate. That is our policy. Without sufficient knowledge, to come forward with charges that are absolutely unfounded, to bring in race prejudice in this way is absolutely mean and low.

Khan Bahadur ABDUS SALAM: I rise to a point of order.

The DEPUTY-PRESIDENT: Will the Secretary kindly let me know the exact words to which objection has been taken?

Babu SURENDRA NATH MALLIK: It is a mistake on the part of my learned friend. What I said was that the tactics of those who make such absolutely unfounded statements were low and mean.

The DEPUTY-PRESIDENT: I do not think he refers to any member of the Council. If he did, he is out of order and I would ask him to withdraw the remark.

Maulvi YAKUINUDDIN AHMED: I think that he meant members in this Council who made the allegations to which he refers.

The DEPUTY-PRESIDENT: Mr. Mallik, you had better withdraw those words.

Babu SURENDRA NATH MALLIK: Not only do I withdraw but I apologise. If I have offended any of my Muhammadan friends, I beg their pardon. Nothing is more distant from my mind. It is a sheer misapprehension.

Now to proceed. Why then accentuate a difference which does not exist and then insist upon remedy of a non-existent evil?

Not only this, but it is these Municipal Councils, where the cause is common, the work is common, the goal is common—where, in this school of common training, free from questions of class or communal interests of the disintegrating elements animated by a common purpose, we find the best place for a rising nation like ours consisting of different religious beliefs and social ideals to learn, to work together, to think together, to soften our angularities and to acquire mutual respect and confidence.

But a life-time discipline to obey him in all matters—national and political—and although I am opposed to this separate communal representation, an ear trained for 30 years to his master's voice cannot conceive of any refusal to obey. I, therefore, accept the proposed scheme of earmarked seats and special electorate proposed by my revered leader.

Throughout my life I have been trained by the accepted father of Indian Nationalism that in the work of constructing our nation there should be no principle observed and asserted except the sacred one of "fair field and no favour." This is the whole of our national demand from the Europeans. Why should we then so lightly and for a shadow trample it under foot when we ourselves are concerned?

I am sure that in making this concession to the Muhammadans there must have been violent wrench in the mind of the Hon'ble Minister himself in going back upon his own confirmed convictions in life. This he has done only to show his regard for Muhammadan opinion and to

bring about the spirit of comradeship with them in his great and life-work of nation-building. I deeply appreciate the sacrifice which he has made, for no sacrifice is so great as that of one's own confirmed principles and convictions. Therefore, I do not like to say more about it and accept it with all the loyalty that I can command.

Though I accept this, I cannot forget to be just to myself; and in justice to myself, I must say what I honestly feel about them. I must freely confess that as a thorough democrat, I am wholly opposed to those sham electorates and pocket boroughs of the Chamber of Commerce, the Trades Association and all the rest of those trusts and concerns. The reason that has been assigned by the Hon'ble Minister for giving them a fresh lease of life, *viz.*, that it is in vogue since 1876, does not appeal to me. Is that a reason? It is just the contrary It shows that it is a system which is old, antiquated and is only fit for the dustbin. If, therefore, it is claimed that this Bill is intended to liberalise our local body, then by all means shake off this musty anachronism of a bygone age. Let Europeans come to the Corporation if they choose by the open door of a general electorate. If that community still have within its fold broadminded men like George Yule or the late Hon'ble Mr. L. P. Pugh, Mr. Braunfield, Sir Daniel Hamilton and other great men like that, then there is no doubt that the Indian community would most warmly welcome them as their representatives in the Common Council and I have no doubt that, even to-day, men like Mr. Rae have just as large a chance of being elected by the Indian ratepayers of ward No. 22 as myself. Come then out of your first class reserved compartments and trains de luxe and share with us equally the troubles and blessings of a journey by the third class on our onward journey to our goal and see whether we do not put you forth as leaders and as leading citizens. Can there be any doubt that those who are anxious to keep themselves secluded in their own glory and greatness get themselves steeped in their compartment with prejudices and become unfit to represent others? Mr. Watson-Smyth said yesterday that he hoped that he would also be a brother to us in our march towards our goal. I beg to thank him for this huge joke as I think it to be one.

Three hundred years ago Providence brought the Europeans to this country not without a purpose. For 300 years they have been working to uplift my poor motherland, India. Through a common law and a common Government, through the same boons and through the same repressions, we have now been brought on to the high road to an united and national life. Let no man try to thwart that Divine purpose for, howsoever great he may think himself to be, he is yet a little smaller than Providence Himself. I must congratulate my Moslem friends on the fact that all of them, except one, have spoken in a spirit which did not introduce any religious animosity or class hatred and therefore

commanded our respect and attention. Let us, brothers, Hindus and Muhammadans, therefore, approach the question without any sectarian view and religious antipathy. Let "good to our motherland" be our only objective and let our motto and watchword be "united we stand and divided we fall."

Here the Council adjourned for 15 minutes.

After the adjournment.

Dr. A. SUHRAWARDY: At the present stage of the Bill, I had no desire to intervene in the debate, and if I rise to speak to-day I do so in the hope of calming the tumult of bigotry and pacifying the passions of fanaticism roused in the Council by the speeches of some members, both Hindus and Muhammadans.

I deeply deplore that certain passages in the Hon'ble Minister's speech have given rise to apprehensions and alarm in the minds of my Moslem colleagues that the acceptance of this method of representation is the thin end of the wedge, that our acquiescence in it on the present occasion is likely to furnish a precedent for doing away with communal representation in the Councils, and denying its extension to local bodies in the mufassal. Communal representation in the Council is a settled fact, the conditions in the mufassal differ widely from those of Calcutta. I earnestly trust and hope that the Hon'ble Minister will dispel Moslem apprehensions and suspicions, Moslem doubts and fears, by a declaration that, whatever be his personal views on the evils of communal representation, he harbours no designs of unsettling the settled fact, that the question of communal representation in the mufassal will be considered apart, entirely on its merits, in the light of circumstances and conditions prevailing in the mufassal. If the Hon'ble Minister clears the air by such a pronouncement and if he gives an assurance of an increased effective and adequate representation for Muhammadans, commensurate not only with their voting, rating and numerical strength but also with their historical and political importance, then I shall not have the least hesitation in giving my whole-hearted support to a Bill which is progressive in its scope and generous in its intentions to safeguard the diverse interests of this city.

There is another matter to which I should like to draw the attention of the Hon'ble Minister as well as of the House. In the course of his speech, dwelling on communal representation and the mixed electorate, the Hon'ble Minister said that "the Bill embodies the views of the Government as a whole." Now it is an open secret that a member of the Government is actively engaged in preaching against the views of the Government as a whole and it is whispered in the lobby that he has the authority behind him of His Excellency the Governor. I am not in the secrets of the Cabinet. I do not know whether there is such a thing as an oath of secrecy for Ministers or whether Ministers have

the privilege of breaking it with impunity as some witnesses do in a court of law. But I think the House should like to have some light on the subject. There is an impression created in the House by the arrogant and impudent assertions of a speaker that Muhammadan members as a whole are all up in arms against this Bill. I am glad that my Hon'ble friend, Maulvi Emaduddin Ahmed, has made it clear that nothing could be further from the truth. I respectfully submit to the House that it should appraise the speeches at their true worth and value and not take seriously the unconsidered judgments, the wild utterances of those whose first acquaintance with public life is only through the door of communal representation. Naturally, they cling to it as a new-born babe to its mother. Nor should the House allow itself to be misled by the pose of authority assumed by a member who avoids the risks of election and enters the Council by the backdoor of nomination. Sir, in these days when seats are plentiful a Muhammadan member who has the unique distinction of being nominated is not in any sense the representative of his people.

Even of the elected members here to-day who can claim (with one single exception) to have even the honour of defeat in a contest for a seat in the Council or the Corporation commanding a single Calcutta vote? There is only one member here to-day whom the Muhammadans of Calcutta have repeatedly returned to the Council as their elected representative. It is the member who represented them in the Legislative Council in 1910—who represented them in the first Council under the Minto-Morley Reforms and in the last, and who was once more returned by them to the present Reformed Council. And that member, Sir, is no other than your humble servant addressing the House.

If a member hailing from the banks of the Rupnarain can pose as an authority on the affairs of Midnapore, if members from the mufassal are qualified to speak on Calcutta affairs (and undoubtedly they have the right to do so), I hope the House will pardon me and not accuse me of excess of cheek and brass if, for a moment, I have the audacity to imitate the ways of Maulvi Nasim Ali of Bagnan. Sir, I have carefully examined the advantages and disadvantages of the proposed method of Muhammadan representation, and have weighed calmly and dispassionately its pros and cons and I am satisfied that the balance of advantage is in favour of the Muhammadans. We are given 13 seats specially reserved for us where we had none. We are given the right of voting in the general electorate and contesting any seat in any ward in the general electorate and our voting strength in the general electorate will be increased considerably in excess of that of the Hindus. The Muhammadans will thus be in a position to turn the scale in favour of any candidate, Hindu or Muhammadan. They will thus hold the "balance of power," to use the phrase of a newly-discovered Hindu friend of Muhammadans in this Council. God save us from [illegible]

members of the Council may be deluded and deceived by his championship of Moslem cause to-day. Old members know better and understand the secret of this sudden conversion and change of heart.

At page 17 of the Report of the proceedings of a Committee of non-official members of the Council to consider the Reform proposals there is a note of dissent which opens thus:—

In the matter of representation of Muhammadan interests in the enlarged Councils the Congress League Scheme should not be followed. They (the Muhammadans) on no account should be allowed to have the balance of power in their hands. Such a state of affairs would not only spell disaster to the cause of good Government in the country, but would seriously jeopardise the interests of the non-Muhammadans.

The note of dissent is dated the 2nd January, 1919, and is signed "Siva Shekhareswar Ray."

That this advantage of "balance of power" which the Kumar Siva would, on no account, give to the Muhammadans, is real, substantial and genuine, needs no demonstration, and it should outweigh all minor considerations and set at rest all imaginary forebodings and fears.

Even under existing conditions it is not an impossibility for non-Hindus to be returned to the Corporation and other local bodies through mixed electorates. The names of the Cohen brothers and Nawab Badruddin Hyder in the Corporation, Mr. D. J. Cohen in the Council, Nawab Khwajah Mahomed Yusuf, Chairman, Dacca District Board and for nearly 28 years that of the Dacca Municipality, Khan Bahadur Wasimuddin Ahmad, Maulvi Emaduddin, Khan Bahadur Aman Ali, Chairman, respectively, of the District Boards of Pabna, Rajshahi and Chittagong, are those of a few gentlemen elected through the mixed electorates which occur to me at present. It is said Muhammadan members outnumber the Hindus in Eastern Bengal and it is the weight of Moslem votes which has resulted in this achievement. Be it so, yet the Hindus do not clamour for communal representation. A voice from behind asks me to give an instance from Western Bengal. There are many instances, even in Western Bengal, of Muhammadans being returned to local bodies through mixed electorates. But the best instance in Western Bengal is illustrated in the person of my humble self. I happen to be the Chairman of the Midnapore District Board which consists of 24 members. There is only one elected Muhammadan member there and there is only one nominated Muhammadan member. The rest are non-Muhammadans. Yet the non-Muhammadans have elected the one elected Muhammadan member as their first non-official Chairman. Insinuations are opposed to facts, theories and imaginary grievances to actual realities. It is said that a mixed electorate debars "real Moslems" and paves the way for the success of "renegades." Gentlemen who have lightly indulged in such language have not taken the trouble to define or explain the expressions "real Muslims" and "renegades." What is a "real Moslem," I ask? Is he a Moslem

with a beard, with an oil-besmirched and grease-besmeared fez, an uxorious Moslem rejoicing in the plurality of wives? I need not tarry for an answer. I drop the question. I do not pursue the query further lest it lead to unpleasant details and ends in unpleasanter revelations.

Mr. HUSEYN SHAHEED SUHRAWARDY: Is the Member entitled to make such a virile personal attack?

Mr. A. SUHRAWARDY: There is nothing personal. If the cap fits anybody, I cannot help. I change my question and ask, what is a "renegade"? Is he a Moslem who has committed the crime of enjoying the confidence of Hindus and Moslems alike, who has the misfortune of being elected by the votes of Hindu and Moslem electors? If so, then the Hon'ble Mr. Altaf Ali, son of the Hon'ble Nawab Nawab Ali, is a renegade, for he was returned from a mixed electorate to the late Council. I ask, once more what is a "renegade"? Is he a Moslem who gives his vote to a Hindu in preference to a Moslem candidate for election? If so, then Maulvi Nasim Ali is a renegade and the wire-puller behind him a renegade of renegades—the arch-renegade: for the first act of these gentlemen fresh and unweaned from communal electorate was to vote in this Council Chamber for a Hindu rival of a Muhammadan candidate. They were no more prevented from getting into the Council by the precious device of communal representation any more than the Hon'ble Mr. Jinnah, Mr Mazharul Haq and the late lamented Mr. Rasul, declared and determined opponents of communal representation. Sir, I repeat my question and ask, what is a "renegade"? Is he a Moslem who discourages the slaughter of the cow? If so the Commander of the Faithful, His Majesty the Ameer of Afghanistan, is a renegade and the Maulanas and Ulemas who have issued fiats and *fatwas* to that effect are also renegades. And lastly, the fact of following the lead of a Hindu in politics renders a Moslem a renegade, then I challenge Maulvi Nasim Ali, backed by all the Alis in the Council, to contest any seat in any ward in Calcutta through a purely communal electorate, with the humblest Khilafat volunteer, the meanest follower—should he care to offer himself for election—of the Ali brothers, the redoubtable lieutenants of the Hindu Mahatma.

I have not the slightest doubt as to the result and I am prepared to lay any bet. Those who condemn *hartal* and Khilafat volunteers and support measures of repression (as Maulvi Nasim Ali did the other day) do not stand the ghost of a chance, however they may pose as "real Moslems."

I strongly oppose and emphatically repudiate and denounce the innovation and heresy of elevating and exalting the principle of communal representation into the shibboleth of my faith and the creed of my religion, and I venture to place before my Moslem brethren a lesson

learnt by the reading of history and its philosophy. Society is not composed of fossils embedded in the rocks of retrogression and decay but of living forces which must advance and go forward with the march of time.

Maulvi YAKUINUDDIN AHMED: Shame!

Dr. A. SUHRAWARDY: I cannot understand this unseemly and irrelevant interruption by an elderly gentleman; but I must assure the Hon'ble Member that the reference to "fossils" is not intended to be personal. Communities, like individuals and nations, which do not move with the times and adapt themselves to the changing circumstances of the day are doomed to destruction. Let us not cling to an ancient saw. Let us not allow ourselves to be mastered by a modern name. Let communal interests and not communal representation be our watchwords. Let us not cling for ever to the door of communal representation by which we have entered the Council, unaware of the fact that there is a wider and broader gate beyond, leading to the Hall of Freedom and Fraternity. Shall we for ever stand at the door with the tiler, or shall we enter the Valhalla of the World and take our seat by the side of free nations?

I cannot sit down without taking notice of the pretensions of the self-constituted pleader of the Muhammadan cause who arrogated to himself the other day the position of the spokesman of the Muhammadan members of the Council. I wonder if he has been so appointed by the newborn Muhammadan Association which has not yet uttered a word on the burning questions of the day which are agitating the minds of the Muhammadans but which never forgets to give banquets to members of the Council—the Federation, the first syllable of whose name, according to a wag fully and fitly indicates its objects—to be feasted and fed.

"We, Muhammadans, would resign our seats in the Council," says Maulvi Nasim Ali. We have heard this kind of tall talk before and from persons much higher and for a cause nobler and loftier than that of communal representation. Example is better than precept. Let him take the lead and resign his seat. Let him rid the House of his presence and let us see who sheds a tear, genuine or crocodile for him. Maulvi Nasim Ali reminds me of the fable of the goat and the bull. The chariot-wheel of the Council's progress will go on despite the efforts of the fly to arrest its onward march.

Maulvi YAKUINUDDIN AHMED: I rise to a point of order. Is the member entitled to make virulent personal remarks? We are of the same opinion as Maulvi Nasim Ali.

Dr. A. SUHRAWARDY: Whom do you mean by "we"? Speak for yourself, lest I class you with the worthy Maulvi Nasim Ali.

Mr. D. C. GHOSE: I submit that he is in order. He is not referring to personalities, he is criticising the speech of a member.

The DEPUTY-PRESIDENT: Please do not make any personal remarks.

Dr. A. SUHRAWARDY: It will go on without Maulvi Nasim Ali and his clients as it has gone on without others greater and mightier than he; I am sure other Moslem members condemn and do not share the dog-in-the-manger policy of Maulvi Nasim Ali.

"If Hindus command the confidence of Moslems, why reserve a number of seats for Muhammadans at all?" questions the hon'ble Maulvi

The answer is simple, plain and clear. To give them popular and political education, to awaken in them interest in their civic rights, arouse them from somnolescence and lethargy to a sense of their civic duties and responsibilities. The history and experience of the past tell us that Muhammadans seldom offered themselves for election to the Corporation.

Lulled into slumber by the false security of nomination they avoided the heat and dust of a contest. In 1921, no Muhammadan candidate offered himself for election to the Corporation. In 1918, only one Muhammadan candidate stood and was successful. The same story is repeated and retold if we go back a decade or a quarter of a century

Maulvi Nasim Ali insinuates that Hindu-Moslem unity is a sham. Hindu-Moslem friendship and fellowship a farce. I wonder if he was thinking of the little performance enacted in the lobby the other day. I wonder if he had in his mind the sight I witnessed—a sight worthy of the gods—the dramatic spectacle of a youthful Councillor in the lobby with his orthodox brow resplendent with the mark of the *tilak* locked in the paternal arms of the venerable long-robed, long-skirted leader of the Muhammadans, united not by the bonds of bigotry and hate, I hope, but by those of affection and community of ideals—a symbol of Hindu-Moslem unity—not the deadly embrace of Sivaji and Afzal Khan. So whatever Hindu-Moslem unity might have meant in the past, now it is real, it is earnest and it is indissoluble; and whoever desires to disturb it in the slightest degree is a renegade and a traitor, false to his religion and false to his country. Hindu leaders now realise that the safety of India lies in the unity of Hindus and Moslems; and Muhammadans recognise that in the strength of united India lies the salvation of Islam. One word more and I have done. Maulvi Nasim Ali refers with contempt to the Utopian idea of self-government, appeals to his European friends and the bureaucracy for protection, and declares that he does not want *swaraj*. He is not a dreamer. He is not a wild visionary. He is a practical man. The goal of his ambition is not Plato's Republic. His goal lies beyond the Ass's Bridge. It is within the reach of every pleader who crosses it and develops asinine qualities. He is making rapid progress in that direction and he need not despair.

Maulvi A. K. FAZL-UL HAQ: I have been a silent listener these three days, and have often regretted that the speeches delivered in the

course of this debate have not been free from that tinge of passion and prejudice which should not have characterised the discussion of a question raising issues of such far-reaching importance. But though I regret what I heard these last three days, the unseemly exhibition of temper which I have noticed during the last few hours has fairly taken my breath away. I am sorry, extremely sorry, that in this exhibition of temper some of my friends, both Hindus and Muhammadans, have made themselves prominent. I would seriously ask the members of this Council, if they cannot carry on discussion of such an important character in that calm atmosphere of deliberation which alone should characterise discussion and proceedings of this Council, they should give it up. It needed no prophet to tell me that a vast majority of the Muhammadan members of this Council would vehemently oppose the system of Muhammadans representation proposed in the Calcutta Municipal Bill. The proposal that has been made, is opposed to all recognised tenets of representation among the vast majority of Moslem politicians in India. I admit, that the All-India Moslem League in its various sittings debated not merely communal representation but also representation through a communal electorate. I will also freely confess that, so far as I am concerned, my expressed views have always been in favour of communal representation. The reason why my Muhammadan colleagues have shown such exuberance of feeling in support of communal representation is plain and clear. I hope my Muhammadan colleagues in this Council will pardon me if I point out that, with the single exception of my humble self, not one of them has ever been in the National Congress and have never had any opportunity of coming into contact with those great leaders of Indian political thought, Hindus and Muhammadans, whose activities, have hitherto guided the growing nation of India. With very few exceptions, my friends have not, ever been in the All-India Moslem League, and, therefore, have not imbibed those lofty ideals which really make for Indian political advancement. There is, therefore, no reason for surprise that the Muhammadan members of this Council have received the proposal of the Hon'ble Minister with alarm and anxiety, but I would point out to my colleagues that there is no reason for alarm or anxiety. The question is a very simple one. The proposal is no doubt somewhat new, but it will have to be judged on its own merits. It is a proposal, nothing further, and as a proposal it will have to be considered and reconsidered in all its bearings before any final decision is arrived at.

Before I proceed further I wish to say a few words by way of personal explanation. When I came to the Council the other day to support a resolution about the location of police courts, I heard whispers that I had somehow or other been gained over by the Hon'ble Ministers. I do not know how this is possible, whether by some promise or prospect of reward. I do not know what that reward may be. Surely, he cannot offer me the post of a vaccination inspector or a clinical surgeon in the

Medical College as these are within the departments in his charge (Laughter). The only way in which the Hon'ble Minister can show us any favour is by giving us dinners and lunches and other treats. I freely admit that although our Ministers are very clever in keeping close and tight their purse strings, they are fairly generous in giving treats——

Mr. HUSEYN SHAHEED SUHRAWARDY: Are these remarks at all relevant?

Maulvi A. K. FAZL-UL HAQ: I have not made any strong remarks. Those of us who have not had dinners cannot enjoy little repartees of this kind. I may tell the Council that it has never fallen to my lot to enjoy treats of any kind, except from one Minister, who, I may mention, is an old personal friend of mine, and he invited us to some evening parties. However, I never meant to give offence to anybody; I only say, not having had such treats, I can speak with an easy conscience——

Mr. HUSEYN SHAHEED SUHRAWARDY: Is the member in order?

Kumar SHIB SHEKHARESWAR RAY: What is he leading to?

Mr. D. C. GHOSE: Wait and see.

The DEPUTY-PRESIDENT: Order! Order!

Maulvi A. K. FAZL-UL HAQ: I was only going to make a certain proposition to my friends in this Council. I want to speak to gentlemen who wish to hear me. If I am interrupted in this way, I shall not speak. I have finished——

The DEPUTY-PRESIDENT: Please go on Mr. Fazl-ul Haq. I am sure we would like to hear you and you are entitled to be heard in silence.

Maulvi A. K. FAZL-UL HAQ: I will not speak. I have finished.

The Hon'ble Sir SURENDRA NATH BANERJEA: I desire thoroughly to associate myself with the observations which have fallen from the last speaker, *viz.*, that we should consider the burning issues in connection with the Calcutta Municipal Bill in an atmosphere of calmness, sobriety and moderation. I had hoped that the counsels of moderation and restraint would prevail; and so they did to a considerable extent. The harmony of our debates has, indeed, now and then been broken by ascription of motives, by personal allusions and other matters of that kind which are very much to be regretted. The position of Government in this matter is very plain. We have placed before this House certain proposals for the amendment of the present Calcutta Municipal Act. These are proposals and nothing more. Government have discussed these matters, they have formulated these proposals, and they have invited the judgment of the House in regard to them. They are merely

proposals, the final decision rests with this House. Clause by clause, section by section, the Bill will be considered, and therefore, it seems to me that all this heat, all this exuberance of feeling, this intemperance of language, these interruptions, are out of place at this preliminary stage when we are far distant from the final decision of the great problem of civic life. It seems to me that we are creating for ourselves an atmosphere which is very much to be deprecated—an atmosphere which will be hurtful to that calm and careful consideration of the great problems which is so desirable. I pray for sobriety, I pray for self-restraint, I pray for the quietening down of passions which might have been temporarily raised by the heated discussions of to-day and yesterday.

This is a Legislative Council consisting of the elected representatives of the people. You are charged with a solemn trust to consider public questions that come before you according to their merits, free from passion and prejudice. But if you start the discussion in a heated atmosphere of excitement and prejudice, how would it be possible to arrive at decisions which will be consistent with justice to the interests concerned and in conformity with the mandates of your own constituents? Therefore, once again I pray for a calm consideration of this important question in an atmosphere free from excitement and passion.

I was very much pained to see a display of these emotions on the part of elderly men; young men, I am prepared to excuse, for we all have been young men ourselves, but, in the case of an elderly gentleman who has been long in the judicial service of Government, who has been trained in that service to weigh and consider facts calmly and closely, it seems extraordinary that he should be swayed by passion and so swayed as to forget or misrepresent facts. I use the words forget and misrepresent deliberately. Mr. Abdus Salam was pleased to tell this House that he was the only Muhammadan present at a particular conference to which I referred in my opening speech. Let me tell you that he was not the only Muhammadan present.

Khan Bahadur ABDUS SALAM: I did not say I was

The Hon'ble Sir SURENDRA NATH BANERJEA: He said he was the only Muhammadan present. I am questioning a statement of facts which you made in this Council. Am I to be interrupted in this way?

The DEPUTY-PRESIDENT: The Hon'ble Minister is entitled to be heard in silence.

The Hon'ble Sir SURENDRA NATH BANERJEA: As a matter of fact Mr. Erfan Ali was present. Dr. Hassan Suhrawardy was also present. There were at least two Muhammadan gentlemen besides my friend, Mr. Abdus Salam. Then he was pleased to ask me, that as a member of the Franchise Committee, why I did not put certain questions

to him in connection with the elections to the Municipal Councils. That, Sir, was beyond our functions; beyond the terms of our reference; we were there not to consider the constitution of local bodies; we were entrusted with the high duty of determining the franchise that was to be conferred upon voters in connection with the election to Legislative Councils. Therefore, it was not my province to ask a question of that kind, and if I had, the President, Lord Southborough, would have ruled me out of order.

It seems to me that my friend suffers from a confusion of ideas, excusable in a young man, indefensible in his case. He says the European community have got communal representation: they have got nothing of the kind. The two things, he is confounding, are communal representation and special electorates. Communal representation is based upon creed, representation through special electorates is based upon class interests, therefore, there is a wide difference between the two, but to my ex-judicial friend that difference does not occur.

Let me pass from this personal reference, which to me has been very painful because here we have been entrusted with a solemn duty, an onerous task, that of preparing a Municipal Act for Calcutta which it was hoped, and I still hope, would be a model to the rest of India, a model to all municipalities in Bengal, and all this passion, all this strife, all this friction, are stirred by raising irrelevant issues and controversies which are beside the main problems before us. I deeply deprecate it. I hope that after the appeal I have made to-day, we shall resume our old ways, and meet here as colleagues and brothers, called upon by our high sense of duty to consider and decide questions of the gravest moment to the city of Calcutta and to the future interest of Local Self-Government in this country. Having made this appeal, let me now consider some of the points which have been raised in the course of the discussion.

I think the discussion may be said to have centred round three points, whether communal representation should be given to the Muhammadan community, whether the University and the Bengal National Chamber of Commerce should have a vote conferred upon them to return representatives to the Corporation, whether the Marwari community should have a special constituency of their own, and lastly, there is that question which was raised as to the inclusion of Maniktala and Cossipore-Chitpur within the jurisdiction of the Corporation. Other details were brought forward and they will have to be considered by the Select Committee. But these to my mind—and I have followed the discussion with the closest attention—are the central considerations which this Council has been discussing for the last three days. I have no desire to swell the volume of controversy in connection with the question of communal representation. I would prefer to say nothing about it except perhaps refer to one or two matters which are uppermost in my mind, and in regard to which I think it will be possible for me to throw some light

and produce perhaps a mollifying effect upon those whose minds have been excited upon this question.

My friend, Mr. Nasim Ali, observed that if this Calcutta Municipal Bill was the first fruit of the *swaraj* which we have been promised, the less we have of it, the better for us. Now I ask him in all seriousness, but with the utmost emphasis, this plain simple question—does he or does he not think that the present Bill, whatever its limitations may be, is distinctly superior to the Calcutta Municipal Act now in force? I think that question can only be answered in one way. Even from the Muhammadan point of view it is a distinct advance on the present Act, which does not provide for communal representation, not doesn't provide for reserved seats, to have given 13 seats to Muhammadans in the present Bill

The present Act does not reserve for them even one seat, the question of communal representation is still open, and with regard to it I desire to say this: the system of mixed electorates is the proposal of the Government but if this House decides that there should be communal representation, the Government will bow to that decision and accept it That is our attitude, we have no *zid* in the matter We live and move in an atmosphere of pure reason tempered by justice If the mandate of this Council is that there shall be communal representation for the Muhammadans, I shall accept it That is the attitude of the Government But, Sir, it must be admitted that even from the Muhammadan point of view, the present Municipal Bill is a distinct advance upon the existing Act, and to that extent, it ought to be welcomed by the Muhammadan community. One objection, perhaps the principal objection, is a fundamental one, *viz.*, that if we have the system of mixed electorate we shall not get effective Muhammadan representation, we shall not get the type of Muhammadan members whom the Muhammadan community desire to send to the Corporation It would be as my friend, Maulvi Nasim Ali, put it, ineffective representation It may be adequate, but it would be ineffective I say with some emphasis that I cannot help thinking that this observation implies a slur upon the distinguished Muhammadan representatives in the Corporation in the past, now alas, dead and gone, who were my colleagues in the Corporation and who did the amplest justice to the interests of their community and of the general public What about Nawab Badruddin Hyder? What about Dr Jaharuddin Ahmed, who was returned by the general electorate? What about my esteemed colleague and comrade, Maulvi Shaikh Ahmed, with whom I was associated in the Corporation for 23 years, and was the *mutwalli* of a mosque? What about these and other men in the past, who were returned by the general electorate, who served the Corporation with unsparing devotion and unflinching zeal? Say what you like about the mixed electorate, say what you please about the usefulness of the communal system, bear in mind the slur that this view must cast upon

the memory of these distinguished men if you say that mixed electorates will not do, but we must have communal representation; and if you further add as your reason that you are not likely to get men of the right type, my reply is that in the past you did get such men through the mixed electorates. What has happened to lead you to think that you may not now get men of the same class? What has happened since then that leads you to the conviction that a mixed electorate will not return the right sort of men? I pause for an answer, and there is no answer to be given. You have not yet tried the system of mixed electorate with 13 seats reserved. If you try it and find it to be inefficient and ineffective and inadequate, then a change can be made in six months' time. Therefore, I appeal to my lawyer friends that no case has been made out for communal representation, the grant of which would represent an innovation in the municipal legislation of the province.

Not only that; my strongest argument against communal representation is that it is opposed—it is contrary to the spirit of the Reforms. What do the Reforms mean? They are meant for creating a machinery for building up an united India. You injure the prospective success of that machinery, you retard the growth of the citizen spirit which is the fundamental condition of nationhood. Here is a positive injury that you do to the sacred interests of the country, because you have a sort of fear, a baseless fear, that the proper kind of men would not be forthcoming through mixed electorates. But once again I emphasise the fact that if you have a different point of view, that point of view will be fully considered by Government; the decision is yours. Government will abide by that decision whatever it may be.

The next point to which I desire to refer is less contentious, *viz.*, should we give a seat to the Calcutta University? I say "no." I am a graduate of the University myself; I have been for 40 years a teacher of youth. I am still the President of a College Council. Educational activities fill a large sphere of my public life. Still I deny to the University even one seat on the Corporation, and why? because it would take away a seat from the general electorate. It would deprive the ratepayers of a seat to which they are justly entitled and which it is necessary that they should have. When the proposal to grant a seat to the University was made in this Council in 1899—I was a member then—by Mr. (now Sir) Asutosh Mukharji, who then represented the University of Calcutta, it was defeated; Government opposed it, and if the Government of 1899 thought that a seat to the Calcutta University was not necessary, much less is it necessary now, having regard to the progress of education and the number of educated men belonging to the general electorate. Therefore, I must decline to grant a seat to the University.

Then as regards the Bengal National Chamber of Commerce. The same proposal was made in 1899 and was defeated by Government.

My argument against granting that body a seat on the Corporation is the same as I have urged in the case of the University, namely, that it would take away a seat from the general electorate. Why again do you want seats reserved for the Marwari community? My friend, Babu Amulya Dhone Addy, assured us in his speech yesterday, in connection with this subject, that the Marwaris possessed extensive landed estates in the city. We know that this is a fact and what does it mean? It means the possession of power and territorial influence They have great influence in Calcutta. Why should we give them reserved seats or provide them with a special constituency? It is not good for them. They must stand upon their own legs. Every community must learn to be self-reliant. Why should we bolster them up by artificial means? That would be doing them a moral injury to which the Government is unwilling to be a party. If seats were granted to these bodies, the effect would be to withdraw seats from the general electorate, and the Government is opposed to that policy; but again I say that if the Council makes any alteration in the Bill in this respect Government is prepared to accept its decision.

Lastly, I come to a question about which the members of the Corporation seem to be so anxious, namely, that the Maniktalla, Cossipore-Chitpur, and Garden Reach municipalities should be included within the jurisdiction of the Calcutta Corporation. I am Minister in charge of the Department of Local Self-Government. The principles of Local Self-Government are dear to me. I am here in this responsible position to vindicate and uphold those principles. What are the fundamental principles of local self-government? They are, that in regard to local affairs, the local bodies should form the supreme authority. We have no right to impose our will—extraneous and foreign—upon them. That is the essence of local self-government. I think I enunciated this principle on the last occasion in discussing a resolution moved by Dr. A. Suhrawardy in connection with the suspension of union boards. That being the fundamental principle of local self-government and my function being to uphold it, I cannot go against that principle. The principle of local self-government will not permit me to over-rule the declared wishes of the people. We are democratising the Council and the local bodies. Is it consistent with the principles of democracy? I say "no." I take my stand upon those principles; it is sufficient for my purpose. But then I am confronted with certain reasons which I myself have urged in that somewhat elaborate speech which I had the misfortune to make the other day. My friends have quoted largely from that speech. I have been told that the suburbs were included within the jurisdiction of the Calcutta Corporation against the wishes of the people. To that my reply is that that was in 1888, before the days of self-government such as we have now. What we did in 1888 is no precedent for what we should do now, and I discard that as a precedent binding upon us. But my friends, to come nearer home,

urge that in the Bill we propose to include Tollygunge—a small bit of land in Tollygunge—without reference to the wishes of the people concerned; why should we not do the same in regard to the Cossipore-Chitpur Municipality and other Municipalities, within the Corporation limits? If you analyse the situation you will find that this case stands upon a completely different footing. The area of Tollygunge to be included is as big as this hall—not bigger than that—and what is more within it the Calcutta Corporation has a pumping station which employs a large number of hands. The insanitary condition of the locality is deplorable The municipal authorities of Tollygunge have no right to keep the tract in a condition of filthiness which is a menace to the health of the municipal employees. The same thing cannot be said in regard to Maniktalla and Cossipore-Chitpur. Therefore, for these special reasons, we have included a small area in Tollygunge. I do not think that I need detain the Council at any greater length. There are various matters of detail which require discussion, and I have not the slightest doubt that they will be fully debated in the Select Committee and finally by this Council

Now I desire to make a final appeal to the members of this Council Let the Bill be placed before the country; let us hear what the country has got to say; let us have the opinion of various public bodies of Hindu, of Moslem and of European We shall consider all those opinions carefully. The Council will have an opportunity of considering the Bill in the light of these opinions. If we find that in the matter of communal representation or in regard to any other matter we have gone astray, inconsistent with the mandate of public opinion, we shall retrace our steps and act upon the bidding of public opinion That is what I desire to say. I hope, therefore, that there will be a unanimous vote on the resolution which is before the House and which seeks to do no more than ask a public expression of opinion upon the provisions of the Bill, so that the Select Committee and this Council may have an opportunity of considering the Bill in the light of these opinions.

The motion that the Calcutta Municipal Bill, 1921, be circulated for eliciting opinion thereon was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on Friday, the 2nd December, 1921.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met at 3 P.M. on Friday, the 2nd December, 1921, in the Council Chamber in the Town Hall, Calcutta.

Present:

The Deputy-President in the Chair, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 84 nominated and elected members.

Unstarred Questions
(answers to which were laid on the table).

Unemployment amongst "bhadralok" class in Calcutta.

136. Babu JATINDRA NATH BASU: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether the Government are considering the advisability of instituting inquiries as to the extent of unemployment prevalent in Calcutta amongst the *bhadralok* and other classes of the population and of taking steps to mitigate the difficulties of unemployment, by establishing and fostering organisations for finding suitable employment for different classes of the population, or otherwise?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): As regards unemployment amongst the *bhadralok* class the member is referred to the reply given on the 24th November, 1921, to starred question No. XXXII asked by Rai Lalit Mohan Singh Roy Bahadur. As regards other classes, from information available regarding present labour conditions, Government are of opinion that no inquiries of the nature suggested are called for, nor is the existing degree of unemployment such as to necessitate Government action on the lines proposed by the member.

Honorary Magistrates.

137. Maulvi AZAHARUDDIN AHMED: Will the Hon'ble the Member in charge of the Appointment Department be pleased to state for the years 1918-20, year by year,—

(i) the number of Honorary Magistrates, Muhammadans, high class Hindus and Namasudras, to be shown separately, in each of the subdivisions in the Division of Dacca;

(*ii*) the number of cases tried, and the amount of travelling allowance drawn by each of them?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler): (*i*) and (*ii*) Statements showing the information available are laid on the table.

Statement I showing the number of Honorary Magistrates in each of the subdivisions in the Dacca Division during the years 1918–20 referred to in the reply to unstarred question No. 137.

SUBDIVISION	1918.			1919.			1920.		
	High class Hindus.*	Muhammadans.	Namasudras	High class Hindus.*	Muhammadans.	Namasudras	High class Hindus.*	Muhammadans.	Namasudras
DACCA DISTRICT.									
Sadar ...	6	6	Nil	3	6	Nil	7	6	Nil
Narayanganj ...	2	...	"	2	...	"	2	...	"
Munshiganj ...	6	2	"	6	2	"	7	2	"
Manikganj ...	5	1	"	5	1	"	6	1	"
MYMENSINGH DISTRICT.									
Sadar ...	11	...	Nil	12	...	Nil	12	1	Nil
Jamalpur ...	10	3	"	10	3	"	11	3	"
Tangail ...	5	2	"	5	2	"	5	2	"
Kishoreganj ...	5	1	"	6	1	"	7	1	"
Netrakona ...	3	1	"	4	1	"	2	1	"
FARIDPUR DISTRICT.									
Sadar ...	4	3	Nil	4	3	Nil	3	2	Nil
Goalundo ...	4	2	"	6	1	"	4	...	"
Madaripur ...	7	1	"	7	1	"	8	1	"
Gopalganj ...	3	1	"	3	2	"	3	2	"

* Hindus other than Namasudras.

SUBDIVISION.	1918.			1919.			1920.		
	High class Hindus*.	Muhammadans.	Namasudras.	High class Hindus*.	Muhammadans.	Namasudras.	High class Hindus*.	Muhammadans.	Namasudras.
BAKARGANJ DISTRICT.									
Sadar ...	5	1	Nil	6	1	Nil	7	3	Nil
Pirojpur ...	2	1	,,	5	2	,,	5	2	,,
Patuakhali ...	3	1	,,	5	1	,,	5	1	,,
Bhola ...	1	1	,,	1	2	,,	1	3	,,

* Hindus other than Namasudras.

Statement II showing the number of cases tried, and the travelling allowance drawn, by each of the Honorary Magistrates in the subdivision of the Division of Dacca referred to in the reply to unstarred question No. 137.

NAME OF HONORARY MAGISTRATE.	NUMBER OF CASES TRIED BY EACH DURING—			AMOUNT OF TRAVELLING ALLOWANCE DRAWN BY EACH DURING—		
	1918	1919	1920.	1918	1919.	1920.
SADAR SUBDIVISION				Rs. A. P.	Rs. A. P.	Rs. A. P.
Babu Navadwip Ch. Byzak ..	On leave		Resigned			
Nawabjada K. M. Afzal Khan Bahadur, M.L.C.	160	280	253	No travelling allowance drawn.		
Babu Ram Kumar Das ...	Died in March 1918.					
Rai Bahadur M. M. Chakrabartti ...	61	84	64	...	.....	.....
Babu Sasanka Mohan Das Gupta .	68	...	...	Ceased from 22nd November 1918.		
H. K. A. Saber ...	21	55	71	.....	...	.....
Khan Bahadur Syed A. Husain ...	On leave.		Not called			
Syed A. F. Sharfuddin ...	61	176	174	.....	.....	.....
Babu Chandra Kanta Dam ...	...	...	17	.....	.....	.....
K. Azizullah ...	Jointly 77	95	90	.....	.....	.....
Babu Dharani Nath Byzak ...						
.. Rama Nath Das ...						
K. Abdul Karim ...						
Babu Sarat Sashi Datta ...						
.. Satyendra Kumar Das ..						
.. Keshab Ch. Banerjee ...						

NAME OF HONORARY MAGISTRATE.	NUMBER OF CASES TRIED BY EACH DURING—			AMOUNT OF TRAVELLING ALLOWANCE DRAWN BY EACH DURING—		
	1918.	1919.	1920.	1918.	1919.	1920.
				Rs. A. P.	Rs. A. P.	Rs. A. P.
NARAYANGANJ SUBDIVISION.						
Babu Devendra Chandra Mazumdar	67	107	104	.....	.....	9 0 0
Rai Sahib Harish Chandra Ray ...	76	141	143	68 0 0	174 0 0	183 0 0
MANIKGANJ SUBDIVISION.						
Babu Keshab Chandra Ghosh ..	56	201	145	75 0 0	212 0 0	303 0 0
,, Mathura Nath Bukhit ..	7	23	9	5 0 0	10 0 0	.....
,, Sasanka Bhusan Ray ...	5	1	10	35 0 0	15 0 0	24 0 0
,, Bejoy Gobinda Guha ...	..	1	6	.....	8 0 0	15 0 0
Maulvi Abdul Sattar Khan Majlish	...	..	.	.....	.....	.....
Babu Hem Sankar Ray Chaudhuri	.	1	...	.....	.....	.....
Maulvi Fazlar Rahman Khan ...	..	...	6	.....	.....	48 0 0
Babu Tarini Kishore Sur ...	...	...	15	.....	.....	....
MUNSHIGANJ SUBDIVISION.						
Rai Ramesh Chandra Guha Bahadur	114	153	25	120 0 0	123 0 0	30 0 0
Rai Sahib Pramatha Nath Ghose	110	136	40	227 0 0	305 0 0	300 0 0
Khan Bahadur Khabirolla .	113	98	63	20 0 0	18 0 0	5 0 0
Babu Kali Nath Basu ..	..	31	25	.....	.....	.....
,, Indu Bhusan Roy .						
,, Kashi Charan Guha	59	85	34	.....	.....	.....
Maulvi Istambul Hyder ..						
Babu Hara Lal Basu						
,, Kashi Chandra Guha .	..	..	14	.....	.....	.....
MYMENSINGH SADAR SUBDIVISION						
Babu Jogesh Chandra Chakravarty	89	97	52	112 6 0	166 10 0	111 10 0
,, Jatindra Kishore Roy Choudhury.	103	80	61	225 0 0	132 0 0	126 0 0
,, Kshitish Chandra Choudhury	82	6	36	163 8 0	21 12 0	132 12 0
,, Krishna Kumar Roy ..	49	30	26	.....	.....	.....
,, Umesh Chandra Chakladar .	..	51	104	5 8 0	.....	12 0 0
,, Bhuban Mohan Mukherjee	119	39	56	201 8 0	131 4 0	157 8 0
,, Raj Kumar Guha .	..	56	49	.....	.....	5 6 0
,, Srinath Acharyya Choudhury	100	55	197	.....	.....	.....
Sadar Independent Bench						
Babu Jitendra Kishore Acharyya Choudhury (resigned)	..	..	...	188 8 0	.....	.....
Maulvi Ali Hussain ...	.	...	...	.....	.....	190 8 0
Babu Chinta Haran Mazumdar (members of the Bench).	...	...	...	.....	.....	.....

Name of Honorary Magistrate.	Number of cases tried by each during—			Amount of travelling allowance drawn by each during—		
	1918.	1919.	1920.	1918.	1919.	1920.
				Rs. A. P.	Rs. A. P.	Rs. A. P.
JAMALPUR SUBDIVISION.						
Khan Sahib Maulvi Khondkar Syedar Rahman.	70	82	78	.....	6 0 0	.....
Babu Akshoy Kumar Sen Gupta ...	80	109	66	13 0 0	.....	35 8 0
Jamalpur Independent Bench.						
Babu Mohim Chandra Roy (deceased)	34	5	2	.....	.....	.....
" Monindra Mohan Roy (removed).	...	...	...	...	...	.....
" Upendra Nath Roy (removed)	...	.	...	19 0 0	...	63 4 0
Maulvi Syed Abul Khair ..	...	...	...	....	...	.....
Mohammad Abdool Wadood ...	...	...	..	...	...	... ..
Pramathi Ranjan Krishna Choudhury (members of the Bench).	...	...			...	... ..
Rai Radha Ballav Choudhury Bahadur.	159	257	146	.		..
" Charu Chandra Choudhury Bahadur	80	130	220		.	...
Hemantra Chandra Choudhury Bahadur.	85	82	87	....	..	.....
Babu Hiran Chandra Choudhury .	66	75	104	.		..
Sherpur Independent Bench.						
Babu Rajendra Chandra Das Gupta	87	67	17	...	..	
Maulvi Muhammad Karimuddin (deceased)		.	..		.	..
Babu Satindra Kumar Choudhury (members of the Bench)	..	.	..	.		.. ..
KISHOREGANJ SUBDIVISION.						
Babu Rajani Kanta Roy (deceased)	21	.		7 0 0	.	.
" Girish Chandra Roy	127	81	60	296 0 0	225 0 0	121 4 0
" Babu Rajeswar Chakravarty	98	146	104		8 0 0	....
" Bepin Chandra Goswami ..	..	169	113	..	..	. ...
" Jogendra Kishore Roy	...	..	61	.	.	..
Rai Chandra Kishore Kar Bahadur .	43	10	2	.	.....	.
Maulvi Abdul Majid (removed) ...	10	.	...	.....	..	.....
Babu Kanini Kishore Dhar ...	...	63	43	. ....	. ..	4 0 0
TANGAIL SUBDIVISION.						
Khan Bahadur Maulvi Syed Ahmed Hosain (Choudhury).	..	..	8	164 0 0	149 0 0	52 0 0
Babu Jogendra Chandra Chakravarty.	54	56	67	136 12 0	276 0 0	189 12 0
" Hem Chandra Roy ...	...	83	81	448 4 0	474 8 0	686 8 0

NAME OF HONORARY MAGISTRATE.	NUMBER OF CASES TRIED BY EACH DURING—			AMOUNT OF TRAVELLING ALLOWANCE DRAWN BY EACH DURING—		
	1918.	1919.	1920.	1918.	1919.	1920.
				Rs. A. P.	Rs. A. P.	Rs. A. P.
Tangail Independent Bench.						
Babu Durga Gobinda Munshi ...	71	103	6	.....	.....	.....
" Upendra Narayan Neogi (removed).	...	...	...	209 0 0	343 0 0	341 8 0
Rai Sahib Gopal Chandra Bhowmic (members of the Bench).	...	...	...	.....	.....	.....
H. H. Howard, Esq. (resigned) ...	34	48	...	.....	.....	.....
J. E. Ward, Esq. ...	...	...	70	.....	.....	.....
NETROKONA SUBDIVISION.						
Babu Umesh Chandra Singha ..	105	140	118	334 0 0	269 0 0	437 8 0
" Abani Mohan Ganguli (deceased)	..	...	89	76 12 0	137 8 0	...
Netrakona Independent Bench						
Babu Mohini Mohan Guin (removed)	138	137	35	.....	.....	.....
Maulvi Abdul Rab Mazumdar .		...	..	548 0 0	205 8 0	.....
Babu Hemada Kanta Choudhury (resigned) (members of the Bench)		...	..	264 8 0	353 4 0	155 0 0
FARIDPUR SADAR SUBDIVISION.						
Maulvi Shah Abdul Manan .	69	81	101	648 0 0	575 0 0	572 8 0
Babu Surendra Nath Choudhury ..	45	63	66	.....	.....	.....
Maulvi Waheduddin Nabi ...	...	59	93	36 0 0	80 12 0	65 8 0
Sadar Bench ...	53	...	...	.....	.....	.....
Babu Akshoy Kumar Guha (Bhanga Bench)	39	60	52	77 8 0	.....	.....
MADARIPUR SUBDIVISION.						
Babu Rash Behari Dass ...	5	62	54	130 0 0	404 0 0	241 0 0
" Debendra Nath Sen ..	...	...	12	.....	.....	.....
Damudya Bench						
Babu Prafulla Chandra Sen ...	...	...	...	21 8 0	2 12 0	.....
" Jogesh Chandra Roy ..	42	91	50	.....	145 8 0	.....
GOPALGANJ SUBDIVISION.						
Babu Chandra Bilash Mukherjee ...	91	72	69	780 4 0	935 12 0	732 8 0

Name of Honorary Magistrate.	Number of cases tried by each during—			Amount of travelling allowance drawn by each during—		
	1918.	1919.	1920.	1918.	1919.	1920.
				Rs. A. P.	Rs. A. P.	Rs. A. P.
Gopalganj Bench.						
Babu Rama Prasad Roy ...	...	...	...	84 0 0	199 0 0	306 0 0
Maulvi Abdul Hasab Choudhury ...	24	34	52	204 8 0	407 8 0	466 0 0
" Abdul Quader ...	...	...	...	.....	.....	8 0 0
GOALUNDO SUBDIVISION.						
Babu Nibaran Chandra Sen ...	84	156	21	.....	.....	.....
Maulvi Ahmazzaman Choudhury ...	24	8	—	90 4 0	16 12 0	.....
Babu Trailokya Nath Bhattacharya	55	14	57	.....	.....	18 0 0
" Akhil Chandra Moitra ...	23	82	1	14 3 0	74 8 0	.....
" Satish Chandra Dutta ...	...	3	...	.....	9 0 0	.....
Goalundo ghat Bench.						
Babu Madhab Chandra Bagchi ...	...	25	189	...	51 0 0	212 0 0
BAKARGANJ.						
(SADAR SUBDIVISION).						
Independent Bench ...	40	23	94	.....	134 0 0	503 4 0
Rai B. B. Das Gupta Bahadur ..	...	...	17	.....	.....	.....
Rai M. N. Sen Bahadur ...	23	18	11	.....	.....	.....
Babu K. P. Guha ...	15	13	38	.....	.....	33 0 0
" B. K. Roy Choudhury ...	30	39	36	.....	.....	.....
Maulvi Abdul Kader ...	...	...	1	.....	.....	.....
" Hafez Choudhury ...	...	...	20	.....	.....	.....
Babu J. N. Guha ...	39	57	21	206 9 0	175 11 6	251 9 0
PIROJPUR SUBDIVISION.						
Independent Bench ...	20	27	24	149 9 0	20 8 0	274 8 0
Rai S. N. Roy Bahadur ...	73	42	55	16 0 0	.....	.....
Babu M. N. Mitra ...	13	33	2	.....	3 8 0	.....
" A. C. Roy ...	7	39	79	.....	7 0 0	160 8 0
" B. C. Sen ...	18	...	...	18 12 0	.....	.....
PATUAKHALI SUBDIVISION.						
Independent Bench ...	73	140	122	1,062 12 8	1,107 11 0	2,236 4 0
Maulvi F. Karim ...	40	54	62	42 0 0	184 0 0	641 4 0
Babu N. K. Roy ...	12	43	67	800 12 0	450 7 6	567

NAME OF HONORARY MAGISTRATE.	NUMBER OF CASES TRIED BY EACH DURING—			AMOUNT OF TRAVELLING ALLOWANCE DRAWN BY EACH DURING—		
	1918.	1919.	1920.	1918.	1919.	1920.
				RS. A. P.	RS. A. P.	RS. A. P.
BHOLA SUBDIVISION.						
Babu S. C. Mukherji ...	50	68	157	.....	.....	41 0 0
Maulvi E. Ahmad ... / " Md. Ismail ...	16	9	43	95 8 0	193 12 0	387 4 0
" Md. Hafez Choudhury ...	...	10	...	.....	73 13 0	.....

N.B.—The travelling allowance drawn by the Honorary Magistrates was for holding local enquiries in criminal cases as well as for attending courts.

An Honorary Magistrate of Dacca.

138. Maulvi RAFI UDDIN AHMED: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that the District and Sessions Judge of Dacca, in his judgment in the appeal in the case of the Dacca loan office, passed a stricture on one of the three retired Deputy Superintendents of Police, and on an Honorary Magistrate of Dacca?

(*b*) Is it also a fact that the said Honorary Magistrate tried some cases which he had not the power to try and that the cases had to be transferred from his file?

The Hon'ble Sir HENRY WHEELER: (*a*) Yes.

(*b*) The cases which he had no power to try were made over to this gentleman while the Subdivisional Officer was on tour, but on the Honorary Magistrate's representation, the Subdivisional Officer withdrew these cases from his file.

Dacca Law College.

139. Maulvi YAKUINUDDIN AHMED: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that the Advisory Committee of the Dacca University has unanimously decided to take two pleaders and two barristers into the Law College and that one of the barristers was Mr. S. C. Majumdar?

(*b*) Is it a fact that the District and Sessions Judge of Dacca was not satisfied with the said selection and appointments into the Law College on the ground that sufficient time was not given to him to express his opinion?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) It is not a fact that the Advisory Board of the University unanimously decided to recommend that two barristers should be appointed in the Department of Law of the Dacca University; nor is it a fact that Mr. S. C. Majumdar, Barrister-at-Law, was recommended by the Advisory Board by name.

One of the members of the Advisory Committee suggested that, if possible, two vakils and two barristers should be appointed to the part-time Lecturerships in Law.

(*b*) The District and Sessions Judge of Dacca was asked to express an opinion in regard to the selection of the candidates from a short list submitted to him. It is not a fact that he expressed dissatisfaction with the appointments on the ground that sufficient time was not given to him to express his opinion.

Retired police officers as Honorary Magistrates.

140. Maulvi YAKUINUDDIN AHMED: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that three retired Deputy Superintendents of Police are now Honorary Magistrates at Dacca?

(*b*) Is there any special reason for appointing so many retired police officers as Honorary Magistrates in Dacca?

(*c*) Is it a fact that the Hon'ble High Court had passed strictures against some of them when they were in police service?

(*d*) Is the Hon'ble the Member aware that in a recent criminal case in Dacca, brought by one of these Honorary Magistrates, as complainant, the District and Sessions Judge of Dacca not only acquitted the accused but also recorded very serious remarks against the conduct of the Honorary Magistrate in question?

(*e*) Will the Hon'ble the Member be pleased to lay on the table a statement showing, district by district, how many retired police officers are working as Honorary Magistrates?

The Hon'ble Sir HENRY WHEELER: (*a*) Yes.

(*b*) No.

(c) The High Court commented on the conduct of one of them while he was in police service.

(*d*) Yes.

(*e*) A list of Honorary Magistrates who are retired Deputy Superintendents and Inspectors of Police is laid on the table. Government

have no information whether any retired police officers below this rank are so employed.

List of retired Police Officers working as Honorary Magistrates (district by district) referred to in the reply to clause (e) of unstarred question No. 140.

Bakarganj—Babu Keshab Lal Banarji.

Dacca—(1) Babu Chandra Kanta Dam; (2) Babu Sharat Shashi Datta; and (3) Rai Man Mohan Chakrabatti Bahadur.

Malda—Babu Pyari Lal Neogi.

Pabna—Rai Sahib Bama Charan Bhaumik.

Time-tables and work of the Dacca University.

141. Maulvi YAKUINUDDIN AHMED: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing the number of hours every day and week during which each Professor or Lecturer in the Dacca University is required to teach, and the number of students attending the lectures of such Professor or Lecturer?

The Hon'ble Mr. P. C. MITTER: Government are informed that the whole question of time-tables and the work assigned to individual teachers, both lecturing and tutorial, and practical work, is under the consideration of the Academic Council of the University and that pending the decision of that body it is not possible to supply the information asked for.

Wild animals and pariah dogs.

142. Babu SURENDRA NARAYAN SINHA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to prepare and lay on the table a statement showing what actual steps were taken towards the destruction of wild and poisonous animals and pariah dogs by the municipalities in Bengal in the last 10 years?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): A statement compiled from the reports of the municipalities throughout Bengal is laid on the table. It is presumed that by the expression "wild and poisonous animals" the member means wild animals and poisonous snakes.

Statement referred to in the reply to unstarred question No. 142 showing the actual steps taken towards the destruction of wild animals, poisonous snakes and pariah dogs by the Municipalities in Bengal in the last ten years.

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last ten years.
1	2	3	4
		Rs. A	
Burdwan ...			
Kalna ...			
Katwa ...			
Damhat ...	...	1,403	Rewards were paid at different rates varying from 2 annas to Rs. 5 for each animal destroyed in consideration of the risk and trouble undergone for the purpose. Stray dogs were destroyed by municipal Domes.
Ramganj ...			
Asansol ...			
Suri ...	*1,000	132	*Represents number of pariah dogs killed. No steps were taken for the destruction of wild and poisonous animals.
Bankura ...	794	120	All these municipalities offer reward at different rates to persons killing wild animals, poisonous snakes and pariah dogs.
Vishnupur ...	...	118	
Sonamukhi ...	...	63	
Midnapore ...	1,937	471	The amounts spent represent the reward given for the destruction of the animals. No expenditure was incurred by the municipality on this account.
Tamluk ...	...	30	
Ghatal ...	446	68	
Chandrakona ...	23	13	
Khirpai ...	34	2-8	
Kharar ...	3	0-10	
Ramjibanpur ...	...	...	

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last ten years.
1	2	3	4
		Rs.	
Hooghly-Chinsurah.	...	207	All these municipalities except Bhadreswar engaged Domes and others for destruction of such animals and paid rewards. In the Bhadreswar Municipality stray dogs were destroyed with strychnine during the last two years, but no steps were taken for the destruction of wild animals and poisonous snakes which are very rare in the municipality
Serampore ...	...	134	
Rishra-Konnagore	...	8	
Uttarpara ...	...	14	
Baidyabati ...	...	6	
Bhadreswar ...	...	...	
Champdani ...	...	2	
Kotrung ...	...	2	
Bansberia ...	...	4	
Arambagh ...	...	33	
Howrah ...	9,964	...	Stray dogs were ordinarily killed by means of clubs. The staff of Domes who were engaged for the purpose got remuneration at the rate of 4 annas for a dog killed.
Bally ...	...	131	Domes were engaged to destroy pariah or stray dogs found in public roads on payment of 4 annas per animal Rewards were also given to persons who killed poisonous snakes at the rates of 4 annas and 8 annas each.
Cossipore-Chitpur			There was no systematic arrangement in any municipality for this purpose and no account was kept. Most of the municipalities made small provisions for rewards for the destruction of wild animals and snakes but the amount actually spent was small.
Maniktola ...			
Baranagar ...			
Kamarhati ...			
South Suburban...			
Tollygunge ...			

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last 10 years.
1	2	3	4
	Rs.	Rs.	
Garden Reach ...	...	...	There was no systematic arrangement in any municipality for this purpose and no account was kept. Most of the municipalities made small provisions for rewards for the destruction of wild animals and snakes but the amount actually spent was small.
Rajpore ...			
Baruipur ...			
Jamagar ...			
South Dum-Dum			
North Dum-Dum			
Khardah ...			
Barrackpore ...			
Panihati ...			
Titagarh ...			
North Barrackpore			
Garulia ...			
Barasat ...			
Naihati ...			
Halishahar ...			
Kanchrapara ...			
Bhatpara ...			
Gobardanga ...			
Basirhat ...			
Baduria ...			
Taki ...			
Budge-Budge ...			

Name of municipalities.	Total number of wild animals poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last ten years.
1	2	3	
	Rs.	Rs.	
Kriahnagar ...	909	117	Rewards varying from 4 annas to 8 annas are in force in almost all the municipalities but no actual steps were taken by some of them during the last ten years.
Santipur ...	...	...	
Ranaghat ...	12	8	
Nabadwip ...	...	...	
Kushtia ...	76	13	
Kumarhati ...	...	...	
Meherpur ...	...	...	
Birnagar ...	...	...	
Chakdaha ...	...	...	
Berhampore ...	...	191	Figures for Berhampore are for 1911-12 to 1912-13. Nothing is stated about the actual steps taken.
Murshidabad ...	...	60	
Jangipur ...	...	40	
Dhulian ...	...	3	
Azimganj ...	...	...	Such animals were killed by private persons as well as municipal Domes.
Kandi ...	...	...	Pariah dogs were killed by municipal Domes. Nothing was required to be spent for the destruction of wild animals and poisonous snakes though there was provision in the budget.
Jessore ...	...	109	All these municipalities gave rewards to persons killing wild animals, poisonous snakes and pariah dogs.
Kotechandpur ...	...	36	
Moheshpur ...	...	32	

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals poisonous snakes and pariah dogs in the last ten years.
1	2	3	4
	No.	Rs.	
Khulna ...	...	85	Rewards are offered for the destruction of these animals.
Satkhira ...	...	2	
Debhatta ...	...	...	
Dacca ...	4,041	...	Stray and rabid dogs were killed every year three or four times after due notification to the public and a remuneration of 2 annas or 1 anna was paid for each dog killed according to its size. A remuneration of 4 annas was given to every private person on presentation of a poisonous snake. No figures for snakes available.
Narainganj ...	2,130	175	Stray and rabid dogs were killed by municipal Domes who were paid 1 anna per each animal destroyed. A reward of 4 annas was given for the destruction of each poisonous snake.
Mymensingh ...			
Muktagacha ...			
Jamalpur ...			
Sherpur ...	860	372	Represent total figures for the whole district. Domes were appointed by two municipalities for killing pariah dogs and rewards were given to persons who killed wild animals and poisonous snakes.
Kishoreganj ...			
Bajtpur ...			
Netrokona ...			
Tangail ...			
Faridpur ...	...	70	Rewards were offered for the destruction of wild animals. A Dome was entertained for the destruction of pariah dogs
Madaripur ...	...	...	Several poisonous snakes were killed and rewards were paid for them. A Dome was entertained all along for the destruction of pariah dogs.

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last ten years.
1	2	3	4
	Rs.	Rs.	
Barisal ...	293	50	Domes were given reward for killing str dogs. The expenditure on this account not available. Three rabid dogs were kill on special orders.
Nalchiti ...	...	36	Reward for destruction of venomous snakes w given.
Jhalakati ...	...	46	No report has been furnished about actual ste taken.
Perojpur ...	...	22	Reward for destruction of wild animals w given.
Patuakhali ...	...	...	Stray dogs were killed by hired men and rewar were given to persons for killing venomo snakes.
Bhola ...	...	...	The municipality was created since Novemb 1920.
Chittagong ...	...	...	Pariah dogs were destroyed by the administ tion of poison except during the last t years when Domes were not available for t purpose. Rewards were given for the destru tion of poisonous snakes. There are no w animals within the municipality.
Cox's Bazar ...	...	...	Sweepers were employed to destroy pariah d either by lathies or by poison. There was necessity to take steps for the destruction wild animals and poisonous snakes.
Comilla ... Brahmanbaria ... Chandpur ...	...	...	Poisonous snakes and pariah dogs were kil in all these municipalities but no statistics available.
Noakhali ...	387	112	Rewards of 4 annas to 8 annas were given persons killing poisonous snakes and 8 an to Re. 1 for destruction of a pariah dog.
Rampur Boalia ...	...	354	A reward of 4 annas and 2 annas was paid the destruction of every poisonous snake cording to size. A reward of 4 annas paid for each pariah dog killed.
Nator ...	...	161	

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last ten years.
1	2	3	4
		Rs.	
Dinajpur ...	512	345	Rewards were paid for the destruction of pariah dogs and venomous snakes.
Jalpaiguri ...	...	1,275	Two Domes are maintained permanently for the destruction of pariah dogs since the year 1919.
Rangpur ...	...	...	Budget provisions were regularly made for rewards to the general public for the destruction of wild animals and snakes but none claimed it. Pariah dogs were destroyed every year by administering strychnine. During 1919-20 strychnine was not available and dogs were killed by means of clubs Mothers were offered 4 annas for each dog. The amount spent during that year was about Rs 60. Attempts were made to kill jackals that infest the town but without much success
Bogra ...	...	...	Pariah or stray dogs are destroyed with strychnine poison almost every year by the Sanitary Department of the municipality. In cases of venomous snakes rewards were granted at the rate of 4 annas for each snake killed and produced.
Sherpur ...	108	46	Rewards are paid for destruction of wild animals and poisonous snakes No information given regarding pariah dogs
Pabna ...	...	...	No steps taken except granting 2 annas for each head of cobra.
Serajganj ...	459	88	No report has been furnished about actual steps taken.
English Bazar ...	...	346	Rewards are granted for the destruction of venomous snakes, jackals and pariah dogs at 4, 8, and 3 annas respectively. When dogs become dangerous Domes are engaged for their destruction.

Name of municipalities.	Total number of wild animals, poisonous snakes and pariah dogs killed in the last ten years.	Total expenditure incurred for the destruction of wild animals, poisonous snakes and pariah dogs, etc., in the last ten years.	Actual steps taken by the municipalities in Bengal for the destruction of wild animals, poisonous snakes and pariah dogs in the last ten years.
1	2	3	4
		Rs	
Old Malda ...	....	214	Rewards are granted for the destruction of wild animals, snakes and pariah dogs at various rates.
Nawabganj ...	...	70	
Darjeeling ...	...	1,365	During the last ten years three poisonous snakes were killed and an amount of 12 annas was paid as reward. Stray, ownerless and suspicious dogs were shot by a man specially employed for the purpose. He was formerly paid 2 annas per dog, but the reward has recently been raised to 4 annas
Kurseong ...	2,118	...	Since 1914 a considerable number of stray dogs were shot; before that year they were destroyed by administration of strychnine.
Calcutta ...	23,729	...	Gives figures for wild animals (alligators, sharks, snakes and a leopard) and pariah dogs killed. The figures for pariah dogs before the year 1917 are not available.

Resolutions

(under the rules for the discussion of matters of general public interest).

Damodar Canal Project

Rai LALIT MOHAN SINGH ROY Bahadur: "This Council recommends to the Government that preference be given to the Damodar Canal project recently sanctioned by the Secretary of State, over other similar schemes in hand."

At the very outset, I beg to draw the attention of the House to the fact that this question is a very old one. It appeared in various forms before the Council several times. The Government also accorded a cordial reception, but the pledge still remains to be fulfilled. Millions of people are still subject to suffering and starvation. As representative of the Burdwan division, I am in duty bound to draw the attention of the House to this fact and request it to see it with a sympathetic eye as a matter of general interest. Burdwan, Sir, was once a flourishing district,

a popular health resort of West Bengal. The history and traditions of West Bengal centre round Burdwan. According to the provisional census report of 1921, the record of deaths exceed that of births. The chief cause is no doubt the malignant Burdwan fever, which is making havoc among the people and to assist it in the act of destruction, cholera, dysentery, diarrhœa and various other forms of bowel complaints appear during the flood season, when the scarcity of drinking water is felt in most of the villages. Imagine, Sir, an area of about 895 square miles of which 185 square miles belonging to the district of Burdwan, 420 square miles to the district of Hooghly and about 290 square miles to the district of Howrah, is subject to what endless sufferings, even if I do not mention the pecuniary losses sustained which calculating at the rate of Rs. 20 per bigha, amounts to over Rs. 300 lakhs a year, besides the heavy losses of cattle, houses, tanks and fisheries. That is why I am drawing the attention of the Council to this fact only to remind the House that it is not a question for a particular district but it is a serious matter for the inhabitants of the districts of Hooghly, Burdwan, and Howrah. The river Damodar is the natural drainage of these districts. I admit the question of its annual flood. is also an old one; fields on both sides of the river were profusely flushed, yet the people reaped bumper crops from these inundated fields, malaria and scarcity were unknown, peace and happiness reigned everywhere. With the embankments came all the woes and sufferings and privations. These embankments were erected by the Government to protect the railway lines of the East Indian Company. The result was, the raising up of the river-bed by the deposition of silt and consequent rush of water over the embankment on the left side to which direction the natural water level lay. Therefore, the Government, to protect the East Indian Railway lines, which lie on the east side of the river, decided to remove the embankment on the west side. In 1858, twenty miles of the embankment on the west side were removed. After the high floods of 1890, it was further decided that all the embankments on the west bank above Begua should be removed. The construction of the embankment led to the obstruction of natural flushing and drainage which turned the water courses and pools into hot beds of malaria. These are the facts which I want to place before the House for contemplation. This proposal is a long standing one. It was as late as in the year 1856, the Hon'ble Rai Ramprosad Roy Bahadur and Babu Joy Krishna Mukherjee of Utterpara approached the Government and submitted the grievances. In the year 1907, the Hon'ble Babu Bhupendra Nath Bose drew the attention of the Government on the subject. About this time, I also approached the then Lieutenant-Governor Sir Andrew Fraser to pay a visit to the upper part of the Begua. He expressed great sympathy after his personal inspection. In 1908, a question was put by the Hon'ble Sir Devaprosad Sarbhadhicary in the Bengal Legislative Council. He was accorded an authoritative approval. After the disastrous flood of 1913, the Hon'ble Maulvi Muzabar Anwar Chaudhuri moved a similar

resolution in the Bengal Legislative Council in 1914. He was supported by the Hon'ble Maharajadhiraja Bahadur of Burdwan. The Hon'ble Mr. Finnimore gave an assurance that the Government was waiting for the investigations of Mr. Addams-Williams. In June of the same year, Mr. Addams-Williams presented his report. In 1914, when Lord Carmichael visited Chinsura, the District Board of Hooghly in their address drew the attention of His Excellency to the Damodar question. His Excellency in reply said that the scheme submitted by Mr. Addams-Williams had been adopted by the Government. In the budget of the year 1915-16, a sum of Rs. 35,000 was provided to meet the cost of selecting the sites. In the financial statement of 1917, the Government allotted a sum of Rs. 2½ lakhs to mitigate the effects of the flood of the rivers Damodar and Ajoy. In the year 1917, a question was put in the Bengal Legislative Council by the Hon'ble Rai Mahendra Chandra Mitra Bahadur. It was said in reply that a sum of Rs. 23,441 had already been spent and effective steps were being taken. Later in the year 1918, His Excellency Lord Ronaldshay with the Hon'ble the Maharajadhiraja Bahadur of Burdwan paid a visit to the upper part of the Begua and held personal inspection of the flooded area. Now, Sir, it is clear that we have already a scheme of remedial measure and this scheme has not only been accepted by the Government but a large sum of money has also been expended. I want the House to think over the matter to give effect to this scheme, long settled, and put an end to the unbearable sufferings of the poor. I hope I shall find sympathetic hearing from the Reformed Council. The accredited representatives of the people will at once accept the proposal and will give effect to the scheme long promised by the Government but not fulfilled. The Secretary of State has very kindly sanctioned the capital expenditure. Let a part of the sum be provided for in the next budget, so that the scheme can be undertaken in right earnest. I am specially hopeful as His Excellency assured us the other day that the financial position of Bengal though bad is not disappointing at all. This House expressed its opinions more than once that great attention should be paid to the question of sanitation and agriculture In view of all these facts I urge the House to request the Government to give effect to the Damodar Canal Scheme, only to fulfil a long deferred promise and thus to bring relief to the suffering multitude.

The DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I believe Raja Maniloll Singh Roy, who has got a similar resolution will support the present motion by Rai Lalit Mohan Singh Roy Bahadur and his own resolution (No. 53) will then be considered as withdrawn.

The following resolution was then, by leave of the Council, withdrawn:—

"This Council recommends to the Government that the work in connection with the Damodar canal project be taken up without delay and in preference to any other big scheme."

Raja MANILOLL SINGH ROY: At the outset, I beg to say that I am not at all jealous of the Grand Trunk Canal or any other project. The Grand Trunk Canal project is not yet ripe for taking up. The project, which at one time was thought would cost Rs. 3 crores, is now sure to require a good deal more and naturally requires much thinking and time. The Damodar Canal project is a 60-year old one, and I submit, when we have got the sanction of the Secretary of State at last, it may be taken up without any further delay. It will not cost more than Rs. 75 lakhs. The Damodar Canal will serve more than one purpose, *viz.*—

(*1*) It will serve as a feeder to the Eden Canal which passes through the districts of Burdwan, Hooghly and Howrah.

(*2*) It will irrigate more than 2 lakhs of bighas of paddy lands and thereby improve the production of the division and the benefit will be available to all in the province.

(*3*) Innumerable water courses and rivers in the districts of Burdwan, Hooghly and Howrah which are dead now will be rejuvenated.

(*4*) The vexed question of water-supply of the tracts of the districts through which the Canal will pass and in which the dead rivers—to name a few only amongst many—Saraswati, Behula, Baina, Kana-Damodar, Kananadi, Gangur, lie, will be solved to a great extent. The district of Burdwan is known to be one of the chief rice-producing districts in the province, but it suffers very frequently from want of sufficient timely rain, and the result consequently is frequent scarcity.

(*5*) The extremely unhealthy condition of the greater part of the districts of Hooghly, Howrah and Burdwan is mainly due to the present conditions of the natural water courses therein and by the canal project at issue, the health of the districts named is sure to be bettered. Formerly, when these rivers used to be fed by the uninterrupted flow of the Damodar flood water, malaria was unknown in those localities and the lands were very fertile from the silt-laden water of the Damodar. I blame no one but our own lot for our present deplorable condition. But many are of opinion that if the Damodar embankments had not been constructed so hastily to save the railways the expense of running their lines on pillars or culverts in the then flooded area, there would have been no malaria or "Burdwan fever" in West Bengal. His Excellency Lord Ronaldshay, after taking over charge of Bengal, promised to tackle the question of malaria and flood devastation in Burdwan and the neighbourhood. The two grievances touched His Excellency's heart. This canal shall, to a great extent, mitigate the evils of malaria and amend the wrong done before to a great extent. And I pray for the mitigation of the evils at your hand; now it rests with the Council to free the districts from malaria and to restore them to their former condition. Here is a case for "bonificazione" for you to take up which made the deadly plains of Italy healthy. By throwing one stone you can kill two birds, nay more than two.

To summarise: it will make the dead rivers flow thereby supplying drinking-water to the people by their side, allowing people to fill their tanks with good water even at some distance from these rivers, allowing the people to irrigate their lands and freeing the breeding grounds for mosquitoes, the root cause of the greatest scourge of the land—malaria. In addition, you will in a degree mitigate the ravages of the floods on the right side of the Damodar in the districts of Midnapore, Howrah, Hooghly and Burdwan. I am a humble worker and not a debator or I could have tried to picture to you the real hopeless condition of the tract. I would most earnestly request you to come to the country and see for yourself its condition and be convinced of what I say.

The project will cost you about Rs. 75 lakhs; this sounds a big sum in the present financial condition of the province, but I think the full amount will not be required at once. If you are pleased to sanction the taking up of the scheme, it will take some years to complete it and the money may be voted accordingly as years roll on. I do not fully understand what is meant exactly by productive project. I do not think that we have come here to make a trade in an alien country. Here the people are suffering and a fine country is being depopulated and would that not be taken into consideration at all But, according to the words of Sir Thomas Ward, KT., C.I.E., Inspector-General of Irrigation, he has himself admitted that the anticipated return is 5·9 per cent. on the capital expenditure, and if the amount annually spent for the Eden Canal is added to it, the return will be higher. It is a project the return from which will not depend on the vagaries of the trade conditions, but a serene one. Year after year the people—I say the tillers of the soil—are suffering without a murmur and now, after 60 years of promise, they are told the project has been sanctioned and it now rests with the Council to decide their fate by taking it up and I pray to them with all the earnestness at my command to save them by giving them drinking-water, save them by giving water to irrigate their lands and giving sustenance better to withstand the ravages of malaria.

Babu SARAT CHANDRA MUKHOPADHAYA: In these days of financial stringency when Government find it hard to make two ends meet, and our Ministers are beating about the bush to provide themselves with the wherewithal to give practical effect to the nation-building scheme of reform, it would have been the height of unwisdom to make anything like a stupendous demand upon the public exchequer, were it not the fact that the resolution first moved by Rai Lalit Mohan Singh Roy Bahadur himself—if I mistake not a life-long sufferer from the calamitous effect of the Damodar floods—related to a scheme which, after nearly a quarter of a century of agricultural disasters and unmitigated sufferings that followed in their wake, has at last been formulated and has been awaiting accomplishment, after receiving the sanction of the Right Hon'ble the Secretary of State. For the history of the

Damodar floods we need not go further back than the year 1856, when, to save the East Indian Railway, then but recently constructed, the Grand Trunk Road, and the town of Burdwan itself, the first few of the 20 miles of the Western embankments of the Damodar, were removed to reduce the strain on the eastern embankments, the floods having, up to that period divided their rather destructive attentions between the embankments on both sides. Year after year, so many as eight hundred villages situated on the western bank of this treacherous river, have been laid waste not only have standing crops, sugar-cane, paddy and jute been destroyed, but huts have been swept away and their occupants have been thrown upon the fatherhood of God.

Personally, I am not materially affected by floods and their physiography, but my bitter experience of their deleterious effects in the Tumluk subdivision only recently, can conjure up a horrid picture of the sufferings, destitution and death that must result from a maelstrom of a far intenser form. And when we take into account the grim fact that floods are an annual institution in that God-forsaken area dominated by the Damodar, I confess my inability to form an idea of what such a woeful state of things means. That such a state of things should continue, in this age of advanced engineering science, is an enigma that admits of but one explanation, *viz.*, that the Permanent Settlement has divested our rulers of the sense of responsibilities so far as the poor peasantry and their hapless landlords are concerned. The disastrous havoc played by the Damodar and the many fruitless efforts made on various occasions ever since the beginning of the present century to draw the attention of Government to the dire necessity, if not of completely controlling the floods, at least of affording partial relief by means of a system of weirs or reservoirs, are matters of history; and it would be impossible for me, that page of contemporaneous history before my very eyes, to resist the temptation of laying at the door of Government the charge of indifference. True it is, all the engineering projects made and schemes formulated at different times had to be given the go-by and relegated to the waste-paper basket on ground of prohibitive cost; but, Sir, there are occasions of dire peril, cases of unimaginable human suffering when the counting of cost amounts to shirking of moral responsibility—the ignoring of the relations between the rulers and the ruled. If, therefore, the tragic drama that is enacted every year almost within sight of the metropolis of this premier province fails to evoke the sympathy of Government to the extent of giving immediate practical effect to the canal project which promises to partially mitigate the sufferings of a portion of the population affected by the floods, I shall have the consolation of thinking that the poor sufferers are doomed.

With these few words, I whole-heartedly support the resolution so opportunely and so sympathetically moved by our colleague, Rai Lalit Mohan Singh Roy Bahadur.

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): The resolution which Rai Lalit Mohan Singh Roy Bahadur has moved and which has been supported by Raja Maniloll Singh Roy, who had a similar resolution, deals with a matter in which I am as much and as vitally interested as others in the Burdwan district, and I may say at once that the object of the resolution has naturally my sincerest sympathy. I shall explain why it is not possible for me to accept the resolution as it has been worded. In the first place, before I proceed to mention my reasons, I think I should say to this House that there can be no question as to the importance of this canal project, nor can there be any argument against it being pressed to the attention of this House. The Rai Bahadur has given the history of the project and in that connection he has mentioned the different activities of the Government and high Government officials. Raja Maniloll Singh Roy, in supporting that resolution, has gone a step further and has brought in the question as to the effect of the railway and railway embankments on the tracts that lie between the Damodar and the East Indian Railway. The last speaker has rather taken a more pessimistic view of the whole situation and has gone to the length of calling most of the tracts lying on the east side of the river a God-forsaken country. I am afraid that this is rather putting it too strong, but I have no quarrel with him on this point, because there is no doubt, that the devastations that take place by inundations caused by the overflow of the Damodar are certainly very terrible The reason why I cannot accept this resolution at the present juncture is this. Although the Damodar Canal project has received the sanction of the Secretary of State for India, we have not yet been able to label it as a productive work. At present it stands on the margin between what we may say a productive and a non-productive scheme. The reason for that is this. To label it as a productive work, our experts tell us that the water-rates have to be raised and this cannot be done until district officers, and through them the general public, have been consulted. Therefore it would be wise for the mover not to press the resolution but to wait until Government completes its investigations. Another reason why Government cannot accept the resolution is that owing to the wording of it, it would give to this project a priority over other projects of equal importance, and this, I do not think, would be fair. In the first place, there can be no doubt and there can be no argument as to the Damodar Canal project being very important, on the other hand, it is not only the Grand Trunk Canal project to which reference has been made *en passant* by Raja Maniloll Singh Roy that it is of paramount importance, but we have, in our list of projects, many such important projects and it will not be fair to this House to accept this resolution which will bind them to give preference to this project before it is really ready for execution and delay other works. For this reason also, it is not possible

for me to accept this resolution. I may also say that I give this assurance to the mover and his supporters that action will be taken in the manner I have indicated, namely, we shall consult the district officers and through them the general public as to whether the public at large, in view of the great benefit that is likely to accrue from the completion of this project, would be agreeable to the raising of water-rates. After that I propose to consult my Standing Committee again whom I consulted in this very connection, namely, in connection with this resolution and they agreed with me in the view that unless and until we were assured that the people of the locality or the tract of the country concerned were agreeable to the water-rates being raised, it would be unwise to put this project on the forefront, because we could not possibly label it as a productive scheme at present.

For these reasons, I would ask the Rai Bahadur not to press for his resolution. As soon as investigations are complete, I shall consult my Standing Committee again and, whatever they advise, I shall go upon it. He may later on find out from me or from the Department as to what has been the result and we shall be in a position to tell the public how the matter stands. For these reasons, I think it would be better and proper to wait and therefore I would ask the mover to withdraw the resolution.

Babu RISHINDRA NATH SARKAR: It has been admitted by the Hon'ble Member in charge that this is a very important project that has been suggested, but the only difficulty that lies before the adoption of this resolution and its being given effect to is that it will not perhaps be a productive project. I do not understand that argument; is it because a project is not productive, it is not be undertaken no matter what enormous amount of benefit it may be to the people and how many millions of lives it may save? It may not be productive directly but indirectly it will be productive because it will save the lives and property of poor cultivators in this part of the country. Then it has been said that it is not known whether the people will be willing to pay enhanced water-rates. As to that, my submission is that as the representatives of that part of the country ask for it, it is to be presumed that the people want it, and are willing to pay for it. For these reasons I support the resolution.

Rai LALIT MOHAN SINGH ROY Bahadur: After the assurance given by the Hon'ble the Maharajadhiraja Bahadur of Burdwan, I beg to withdraw the resolution; I will bring it up later on.

The resolution was then, by the leave of the Council, withdrawn.

Dredging and deepening of rivers.

Babu JOGENDRA NATH ROY being absent, the following resolution standing in his name was deemed to be withdrawn:—

"This Council recommends to the Government that early steps be taken to dredge and deepen where necessary—

(*a*) the portions of the Brahmaputra and Arail Khan rivers in the Dacca district which are becoming silted up;

(*b*) the Jianpur, Mustool and Kusthia Khals in the Manikganj subdivision of the Dacca district; and

(*c*) the portion of the Khal from Mauchha to Solaghara."

Piece-work system in the Bengal Secretariat Press.

Babu HEM CHANDRA BHATTACHARJI being absent, the following resolution standing in his name was deemed to be withdrawn:—

"This Council recommends to the Government that the piece-work system of work in the printing department of the Government of Bengal be discontinued."

Registration of under-graduates of Calcutta University.

Mr. HUSEYN SHAHEED SUHRAWARDY: "This Council recommends to the Government that the fees for the registration of the under graduates of the Calcutta University be not increased."

At the outset, I must say once more that there are no personal motives underlying this resolution, whatever else people might say, the mainspring of whose actions has always been the personal self, with a large "P" and a still larger "S." It is a pity that one has to give such an assurance to this House as it carries with it the aroma and the taint of deceased legislative assembly. The resolution comes to this: when a student has passed the Matriculation examination and seeks to enter the portals of the University, he has to pay a fee of Rs. 2 for having his name registered in the University. We do not know for certain whether a register is kept, but even if it is, it is valueless. It is meant to keep a record of the student's activities during his college career but it only comes into prominence when the student gets his degree and his name appears in the ordinary course in the Calendar of the University. It is the purpose of the University to raise this fee or fine from Rs. 2 to Rs. 5, and it does not carry with it any commensurate advantage to the student. At the present moment when we are anxious that a certain amount of encouragement should be given to students, it comes with a bad grace from the University, whose motto is "the advancement of learning," that it should try and penalise at the outset the students

who are generally poor. No doubt it will mean a certain amount of increase in the revenues of the University, we know the perilous condition of the University at present, we know that it requires a certain amount of funds in order that it may carry on its work on the same scale in which it has hitherto carried on. That is an entirely different matter. The matter, as will be seen from a reply given by the Hon'ble Minister, is under the consideration of Government, as to whether a subsidy should be given to the University or not, but that does not touch this resolution in any way. The money which will be realised by penalising these poor boys will be infinitesimal, and will scarcely go to meet the necessities of the University. I therefore appeal to the House on that account that the University be not allowed to raise the fees for registration from Rs. 2 to Rs. 5.

The Hon'ble Mr. P. C. MITTER: I may at once tell the Council that I do not propose either to oppose or to accept this resolution. I propose to leave this matter to the vote of the non-official members of the Council, and to treat their decision as a recommendation to me. I desire, however, to place certain facts before the Council and in coming to their decision, I trust the Council will give full consideration to those facts. Some time ago, the authorities of the Calcutta University requested Government to sanction an amendment of the regulations to provide for an increase of the registration fees from Rs 2 to Rs. 5. I placed this request of the University before my Standing Committee, and they by a majority advised me to agree to the raising of the fees. In the meantime, I got notice of this resolution and so I decided to take the advice of this Council.

The next point is that when the present financial year started, the Calcutta University had a deficit of Rs. 1,48,000 or thereabouts and from information, very recently placed before the Government, we understand that the Calcutta University authorities apprehend that they will be faced at the end of this year with a deficit of about Rs. 5,35,000. There is no doubt, therefore, that the Calcutta University authorities are badly in need of funds.

The third point to which I desire to draw attention of the House is that if the fees are allowed to be increased from Rs. 2 to Rs. 5, the Calcutta University is likely to get an increased revenue of something between Rs. 21,000 to Rs. 27,000 a year.

The last point which I would ask the House to consider very carefully is that if they advise me against the proposed raising of the fees, it will be necessary for them to help the Calcutta University financially later on, for without such help it will be difficult for the Calcutta University to go on.

With these remarks, I leave the resolution to the judgment of the non-official members of this Council.

Babu NIRODE BEHARY MULLICK: I am a member of the Standing Committee on Education, and perhaps the Hon'ble Minister for Education referred to me when he said that the committee by a majority sanctioned the amendment. I do not exactly remember the points on which I opposed an increase of fees but I would like to make one or two observations. The first is this, that the Calcutta University has been going on for a long time increasing fees; if you look at the records of the University you will find that in various ways this increase has been going on, and it is not the first time that attempts have been made to make the life of the students more difficult than it is.

The next point is that it will make the lot of the poor students harder That is the main objection. The Hon'ble Minister has told us of the want of funds of the Calcutta University, but is this the way in which funds should be raised. Moreover, Government are giving as much as they can, and I do not think that the poor students, the poorest of all, should be taxed in order to help the University. I consider the wording of the resolution so clear, that I do not think it necessary to add to it to explain the position.

With these words, I strongly support the resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: The increase proposed by the University will be a drop in the ocean of its deficit. It will give it about Rs. 10,000 to Rs. 12,000. The deficit is about Rs. 5 lakhs. Therefore, it is of no use whatever to the University, and is a real hardship on the poor students. Therefore, we cannot advise the Minister to sanction this increase.

Babu AMULYA DHONE ADDY: I am sorry I have to oppose this resolution. It appears there is a deficit of Rs. 5 lakhs in the budget of the Calcutta University, and what is wanted is nothing but an increase of the fees from Rs. 2 to Rs. 5. It is not an annual payment, but only for one, and therefore, the proposal of the University appears to me to be very moderate, specially on the ground that the University has made up its mind to grant commercial education. If you want to give technical education you must provide money, and having regard to the fact that there is a heavy deficit, it is advisable to increase the fees as has been proposed by the University.

Mr. HUSEYN SHAHEED SUHRAWARDY: I entirely agree with the view taken by Rai Jogendra Chunder Ghose Bahadur. As regards what Babu Amulya Dhone Addy says, the amount that will be realised by this means will scarcely suffice to meet even a twentieth part of the heavy deficit. We shall talk later on about commercial education and how to meet the expenditure on that. I commend the resolution to the House for its acceptance.

The motion was then put and agreed to.

Industrial Schools in Bengal.

Babu AMULYA DHONE ADDY: "This Council recommends to the Government that at least one industrial school with a workshop attached to it, be established in every division of Bengal."

I would draw special attention to the report of the Indian Industrial Commission on this question. It would appear, from page 311 of this report, that the extent to which India has come to be dependent upon other countries for her manufactured articles necessary in the daily life of a modern civilised community is deplorable. We supply various countries with raw materials and we are dependent on them for the supply of manufactured goods. We export a heavy quantity of cotton and we are dependent on Manchester for the supply of our cloths. Similarly, we export a heavy quantity of hides and depend on the United States of America for the supply of shoes and boots. So it will appear that notwithstanding the fact that we have at our command a heavy quantity of raw produce we cannot manufacture our goods, and even for the necessaries of life we are dependent on foreign countries for the supply of these goods. What is the reason? I think we have not developed our industries. Unless and until we develop our industries in India, we shall have to continue to be dependent on others, and unless and until industrial education is granted to us, we shall have to continue to do so. This is one of the reasons why there is complaint of high prices of the necessities of life, and you will find that as soon as industrial education is granted to us, as soon as we develop our industries, the prices of these goods will very materially come down, and there will be no discontent as at present. Capital in India has become very shy owing to the absence of this industrial education. Therefore, I suggest for the favourable consideration of this House and of Government, that necessary steps may be taken for the establishment of industrial schools in all parts of Bengal. We find that even in Germany, there is not a single town which is not provided with an industrial school. We find that in the United States of America all the towns are provided with such schools. As regards Japan, I would draw your special attention to the improvement that has been effected during the last few years as will appear from the report of the industrial Commission that 40 or 50 years ago, Japan was far behind India, both in agriculture and industries, but her Government and the people working in conjunction have brought about a wonderful development of her industries built upon a system of technical education which included everything required to enable her to occupy her proper place among the manufacturing nations of the world. Japan takes a large proportion of the exports of our cotton, and she sends us an increasing quantity of her cotton goods and other manufactures. Even in the case of Japan, the Government in co-operation with the people have established a number of industrial schools, and have developed her industries in such a way that Japan is now in a position to supply India with the cloths manufactured by her. I will draw attention to the fact that this has been

recommended by the Indian National Congress from year to year, and in 1887 the congress came to this resolution that "having regard to the poverty of the people, it is desirable that the Government should be moved to elaborate a system of technical education." In 1894, it affirmed in the most emphatic manner, the importance of increasing public expenditure on all branches of education, and the expediency of establishing technical schools and colleges. In 1898, it again prayed, "that having regard to the poverty of the people, and the decline of indigenous industries, the Government will introduce a more elaborate and efficient scheme of technical instruction, and set apart more funds for a better and more successful working of the same." It appears that since 1905, the Indian Industrial Conference has met year after year and repeatedly pressed upon the Government the need for proper technical, especially industrial, education throughout the country. Then, speaking at the Industrial Conference convened by Government in 1907, Sir John Hewett, the then Lieutenant-Governor of the United Provinces, said—

> The question of technical and industrial education has been before the Government and the public for over twenty years. There is probably no subject on which more has been written or said, while less has been accomplished.

So it appears that for a number of years this question has been pending, the people have been pressing on the Government to grant us technical education. Several committees were appointed by the Government. They submitted reports to Government but, to speak the truth, nothing has been done yet. I admit that we have a Technical Department in the Engineering College at Sibpur. I also admit that there is a Weaving institute at Serampore and a Technical Department at Dacca. A technical school also is going to be established in Calcutta. But, is it enough, Sir, I ask? I am thankful to the Government for the steps they have already taken in the matter, but I submit that it is not enough. We must have a technical school in every town and in every district of Bengal; and unless we have it, I think this discontentment will continue. One technical school has been established in Calcutta by the people at large with a munificent donation of the late Sir Rash Behari Ghose. But this year there were 3,000 candidates for admission and I am really sorry to say that the Board cannot provide for more than 600 students. It thus appears that the time has come when we should establish such institutions as early as possible. I beg to submit that at these schools there should be workshops attached, just as in the case of the Medical College, we have hospitals attached to them, just as in the case of agricultural schools we have firms attached to them, just as we have commercial schools attached to museums, so we must have workshops attached to these industrial schools everywhere. It would be a play of Hamlet without Hamlet himself. It would appear that the Industrial Commission recommended a capital expenditure of Rs. 55 lakhs for the establishment of technical schools for the whole of Bengal and a yearly

expenditure of Rs. 4 lakhs. My prayer is a very limited and moderate one for the present, having regard to the fact that the financial state of our Government is limited. Therefore, I suggest that the Government may be pleased to establish at least one industrial school with a workshop attached to it in every division of Bengal. Then, if it turns out to be a success and when the state of the finances improve, I hope and trust that Government will be pleased to establish them in every district in Bengal.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to support this resolution for this reason. I am fully aware of the deficiencies of the present technical schools which have been described in the Industrial Commission Report. They, as I told you the other day, are no better than schools for training surveyors and *amins*. There are, of course, classes for woodwork and smithy, but they do not prove of much use. If Babu Amulya Dhone Addy's resolution be carried out, it will simply add one or two more schools, because, so far as I am aware in every division, there is an industrial school but there is need for the improvement of the existing schools. They should be put on the same footing as the apprentice classes of the Sibpur College. If that can be done, let us have an industrial school in every division. If that cannot be done, it is no good multiplying schools. I would certainly propose and recommend to the Hon'ble Minister in charge that he should find means to establish apprentice classes like those in the Bengal Engineering College in every division.

Rai MAHENDRA CHANDRA MITRA Bahadur: I beg to support this resolution. It has been a matter of public necessity that an industrial school ought to be established, as suggested by the mover of the resolution. The authors of the Children Bill felt the necessity of training boys under certain circumstances. That presupposes the existence of an industrial school. Therefore, industrial schools ought to be established. In the Children Bill itself, the word "may" has been introduced. I have proposed an amendment to the effect that the word "shall" be put instead and the reason is obvious. It is the duty of Government to establish industrial schools, not only for the benefit of boys, but also of those who will hereafter take to business and will thus be of some use to society. When I moved in the Council for the introduction of vocational education, my chief object was that students may be allowed to receive such kind of training as will make them useful citizens. Without vocational education, I consider, and every body will agree with me, that the education of our youngmen is of small use. I made an attempt to send some boys to the neighbouring mills where there are workshops attached to them, so that an attempt might be made to give them proper training. But I failed. That shows, conclusively, that it is necessary for Government to establish such schools for the benefit of your youngmen. Therefore, when the mover desires that at

least one industrial school be established in such places where there are workshops, I entirely agree with him.

I have thought over the matter; I have tried my best to be practical but, having failed, I am here again to give expression to my long considered opinion. The Minister in charge of Education, I know for certain, has sympathy for institutions of the proposed type. The question, therefore, is, on what lines these industrial schools should be established? I made a resolution on vocational education and it was accepted. But that is a matter which I leave entirely for the consideration of the Hon'ble Minister in charge. Now, what I do submit to the Council is that industrial schools are absolutely necessary.

With these words, I whole-heartedly support the resolution.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: Talking of technical education, I do not think any one present in this House or outside interested in the material welfare of our country will deny that the necessity is growing greater and greater, but the trouble is that very few understood how practical it should be. In Europe, Sir, there were few technical schools before main industries were started and schools followed industries. Unfortunately, with the exception of jute, cotton and a small bit of engineering, the industries in Bengal are, so to say, in infantile stage of development. You cannot expect school-trained students, however good your school workshops may be, to become pioneers of industry. We cannot force the growth of industry merely by superficial education in technical schools. What I want to see is that industrial schools should be attached to industrial centres for grounding theoretical training in the art of the particular local industry. What I want to see is a good technical school for teaching the technique of jute manufacture not only to gentlemanly youths but to the workers' sons as well. After all manual workers are the men who need technical education and their sons as well.

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I accept this resolution. But while I fully recognise the importance of increasing the number of industrial schools so as to have one in each division, I should point out that the progress in establishing such schools must be very slow owing to the financial condition of the province. It is, therefore, essential for the success of any scheme for expansion that the local bodies should co-operate with Government and contribute to the capital and recurring expenditure of these schools.

Babu AMULYA DHONE ADDY: I thank the Hon'ble Member in charge for having kindly accepted my resolution, but as regards the point that it would be very slow, I beg to submit that my suggestion is as moderate as ever. What I have suggested is the establishment of at least one school in every division and not in every district and, therefore,

whatever the state of the finances of the Bengal Government might be, I do not think that there would be any difficulty whatever in establishing such a good school in every division. I beg to submit that we shall be very glad to co-operate with the Government in the encouragement of this sort of education, and, if I may be permitted to say so, it is one of the primary duties of the Government to grant this sort of education to the people which is urgently needed.

The motion was put and agreed to.

Local Government Board.

Mr. D. C. CHOSE: I find that the hon'ble members of this Council and people outside have very meagre and inaccurate——

The DEPUTY-PRESIDENT: I think it is necessary for the member to move the resolution first.

Mr. D. C. CHOSE: I was going to explain my reason for withdrawing this resolution.

Raja MANILOLL SINGH ROY: May I rise to a point of order? Is the hon'ble member entitled to speak when he is withdrawing the resolution?

The DEPUTY-PRESIDENT: I think he can give very short reasons for withdrawing his resolution, but he must not debate it in any way.

Mr. D. C. CHOSE: I find that the public have got very meagre and inaccurate information regarding the constitution and functions of the local government board in England. That being so, I approve of the idea contained in the next resolution that complete information regarding the working of the local government board in England should be circulated for eliciting public opinion upon the practicability or otherwise of creating a local government board in Bengal. I desire, therefore, not to move my resolution but to beg leave of the Council to withdraw it.

The following resolution was then, by leave of the Council, withdrawn:—

"This Council recommends to the Government that they be pleased to consider the feasibility of creating a local government board, more or less upon the model of the English system, to supervise, co-ordinate and direct the working of the local bodies in this presidency."

Constitution and Working of Local Government Board.

Rai RADHA CHARAN PAL Bahadur: "This Council recommends to the Government that a memorandum be formulated, describing the constitution and working of the English system of the local government board, and indicating the lines and modifications whereon a similar

organisation may be set up in this province in order to assist and co-ordinate the activities of local bodies in all matters of administration and development, without impairing their independence; and that, without committing themselves to any definite scheme of action, the Government do publish and circulate the said memorandum to elicit general public opinion and the views of local bodies concerned."

My esteemed friend, Mr. D. C. Ghose, has withdrawn his resolution. I may at once state that very likely the spirit of both the resolutions is the same, but mine is more cautiously worded and conditioned because I do not wish the Government to commit itself to any definite line of action at this stage. This proposal for a local government board has been made from time to time. In 1882, the late Lord Ripon—the father of local self-government in this country—proposed the appointment of a local government board in every province and he submitted a proposal to the Secretary of State. That proposal was vetoed as far as I know on financial grounds. Then, Sir, Lord Morley also drew, in a despatch, the attention of the Government of India to this proposal and expressed his opinion that a local government board might be appointed in every province in India to co-ordinate the activities of, and to help and guide the various local bodies in, their larger operations. The Decentralisation Commission was appointed in 1909, and, I believe, it was due to the inspiration of the Secretary of State that this subject was taken up by the Commission. I find from the report that they did not favour the idea, the only dissentient being the late Mr. R. C. Dutt. Then, Sir, I find the Hon'ble Minister, while a Member of the Imperial Council, pressed a motion for the revival of the same proposal. Well, that motion was rejected in that Council. However, the angle of vision seems to have changed with the lapse of time. In 1918, the Government of India, in their resolution, expressed their opinion that the local government board was necessary for the purpose of assisting local bodies, and I find that our Hon'ble Minister was also asked to report on the subject in the year 1919, when he was on a deputation to England. I have had the pleasure of reading his excellent note to the Secretary of State and have derived considerable benefit from it. It is, as it must be, merely recommendatory of a desideratum and there was no constructive proposal in it. I think now that the Hon'ble Sir Surendra Nath Banerjea is the Minister in charge of Local Self-Government in this province, it is opportune that he should take up this subject and direct the preparation of a memorandum, showing the working and development of the English local government board and its applicability, if possible, to this province with such modifications and alterations as may be necessitated by the local conditions. I think, as an old and assiduous worker in the premier self-governing institution in India—I mean the Corporation of Calcutta—I should be very zealous of the independence and powers of local bodies. I also am afraid that if by calling into existence a local government board we in any way impair the independence of the

local bodies, such as district boards, we shall be doing disservice rather than service to ourselves. There should not be any ground for the apprehension of a charge in future that we dug a canal in order to bring in an alligator. Therefore, I warn the Council that we should be very cautious in this respect. Possibly, the angle of vision has changed. It may be that there will be no attempt made to impair the independence of the local bodies; and I feel sure that under the guidance of the present popular Minister, no such attempt will be permitted; but still it is better to face public apprehension on the subject. This proposal will vitally affect the local bodies; and what my idea is, subject to its being accepted by the Council, that we, who are not very familiar with the working of the local government board in England, of the usefulness of which, however, we have known so much from speeches and writings should have a memorandum showing how the system has worked in England—I understand that it has been supplemented now by the Ministry of Health—and how it can be adapted, with modifications according to the changed circumstances, to the genius and characters of local institutions in this country, that is to say, how it can be made workable here. Mr. Apcar—who was a most esteemed and honoured member of the Corporation some years past, whenever the Municipal Act was going to be amended—urged upon the appointment of a local government board. From my own experience I know that we, the municipal bodies, especially the municipalities, are at a great disadvantage; we do not get that expert opinion which we think a body like the local government board can give. We are often told we have never been to England and have not seen how it works there. Supposing a scheme is estimated to cost Rs. 3,00,000, we send it to the Government and the Government have it examined by the Sanitary Engineer and then the scheme is formally passed. That is not what we want. We want the best expert advice to be given to us. We sometimes have to spend a large amount of money to get expert advice, but the difficulty is this that we are not always satisfied with the expert advice because we do not know whether that is the best advice available. I know this is to be so in one case, which happened recently, that is the water-works scheme. I think I am not divulging secret when I say that an honoured member, who was associated with our Government and who is now associated with the Government in England, told us that it would be more helpful to a public body if they approached the Government of Bengal and asked the Secretary of State to get the best expert advice possible. My impression is that very probably upon the local government board will devolve the responsibility of advising sanitary schemes and in solving for these local bodies their sanitary and engineering problems, and it will be their lookout and business to give the best possible advice available from all parts of the world. I think, therefore, that the local government board will be able to watch the activities of local bodies and to co-ordinate and stimulate their endeavours on proper lines. I, therefore, think that this resolution, which is a perfectly

non-committal one, will be accepted by the Government. I have got a long note on the subject, but I do not want to inflict a long speech on this Council at this stage when members are tired after a long and interminable debate for the last three days. (A voice: "Have it printed.") I do not want to have it printed.

With these observations, I commend this resolution to the acceptance of the Council.

Raja MANILOLL SINGH ROY: I beg to say a few words on the resolution. The fact must not be lost sight of that only on the lines prescribed by its traditions and its individuality can any nation look for a vigorous and natural growth.

The English local government of the present day is, as everybody knows, a logical and natural development of the most primary laws of the English constitution, and, therefore, an indispensable and unavoidable adaptation of them to the social, political and economical needs of the time.

Notwithstanding the English local government is not without its defects, as can be seen from the following:—

(1) That the Board never meets, and its sole remaining use appears to be that in the absence of the President orders may be signed by one of the *ex-officio* members, usually the Home Secretary whose office is next door, in such a case, however, the Home Secretary does not consider himself to have any voice in the matter. His signature is purely a formal act.

(2) That the President of the Board receives active help from the Secretary who is all in all and who receives a high salary say £1,200 a year

(3) That the general power of issuing administrative commands and compelling obedience which belongs to the superior official of a Continental Bureau is quite unknown in England.—(*Volume II, pp. 243, 244 and 247 "Local Government in England" by Redlich and Hirst.*)

Besides, if we look at its administrative control, it has a drastic power as can be seen from the following:—

Over District Councils the Board has considerable power. It can in extreme cases enforce them to carry out Sanitary measures to its satisfaction It has power to create, dissolve and amalgamate Unions and to regulate the proceedings of the Guardians in the minutest particulars. No officer of a Union can be appointed by the Guardians without the sanction of the Board and when once appointed such officers cannot be dismissed by the Guardians without the consent of the Board, though he may be dismissed by the Board without consulting the Guardians. The Board takes a most paternal interest in all the proceedings of the Guardians, possibly too paternal an interest.—(*Page 257, "Local Government" by Odgers.*)

This much for the board itself. It is also a patent fact that any transplantation of a foreign constitution into another country without a thorough examination and sufficient modification to adopt it to the peculiar environments and circumstances obtaining therein, is sure to come to grief, no matter with how much zeal and enthusiasm the trial is made.

Besides, if it is introduced, on the English lines, the power of the district boards will be curtailed and will be centralised in a single person, *viz.*, the Secretary to the President of the proposed board, which is again opposed to the principles of local self-government

In this age of decentralisation when the Government is ready to hand over its powers to representatives of the public, it is a pity that an attempt is being made in the opposite direction—to transfer the powers already granted to a centralised body. We expect that our Ministers should be the champions of public rights in deeds and not in name only.

And unless the present system has failed or we are sure of a better Government of the local bodies by the innovation, we should be careful in venturing to adopt it. But I do not really see what occasions there might have been for the creation of a local government board "to supervise, co-ordinate, etc.," the local bodies here in Bengal, inasmuch as they have been doing their bit, I make bold to say, creditably well, and to the satisfaction of the Government, I believe. It is not long that most of the district boards have been given non-official chairmen and I think a sufficient time may be allowed to get them conversant with their works before any change is attempted of the kind as proposed. And I take this opportunity to say publicly that in the work of the Burdwan district board at least, for about four years from the first day when that body was allowed to have a non-official chairman—my humble self is serving as such up to now—no undue interference was even attempted by the Government officers vested with the controlling power over the board. I am very grateful for help received from them all along, when sought for, and I hope others will have no other tale to tell. And if the Reforms have to be made a success, I see no justification whatever for setting up such a board over the self-governing bodies, no doubt to dictate its terms to them, and thus be more of an impediment than a help to further the cause of local self-government in the country. Reform by all means where there is room for it; but where there is not, and I am sure there is nothing to complain of against these local bodies, it is altogether inexpedient, not to say useless, to go for a change, doing away with the existing state of things, simply for the sake of its novelty.

"Local government in this country (England) may fitly be described as consisting of a chaos of areas, a chaos of authorities and a chaos of rates" (*vide* page 14 of *Local Government* by Odgers). If that be the condition there, it may be necessary for such a board. But here our rates are fixed by the Government for the whole of the province, and happily no such chaotic conditions prevail.

I think it is known to many that at the present moment the local government board has been superseded in England by the Ministry of Health and there is no such board at present and in a manner the Minister in charge of the Local Self-Government with his Secretary does the work of such a board.

I beg to sound a note of warning. The formation or the creation of the board would entail a very heavy expenditure on the already empty purse of the department. It will require at least one "Parliamentary Under-Secretary" and a number of Inspectors over and above a sheaf of other things. A study of the system, as may be gleaned from the standard works on the local government in England, will plainly show the truth of my remark. The other day we were clamouring for the reduction of high officials and by the adoption of this resolution we will be led to have more—at least some "Parliamentary Under-Secretaries." This we must avoid at any rate.

One thing more and I have finished. I quote a few lines from page 300, Vol. II of *Local Government in England* by Redlich and Hirst, the justness and the intrinsic merit of which can never be over-estimated:—

The local government board is emphatically not a motor engine; it does not supply power to set in motion the machinery of local government; . . . the reason really being no doubt that the statesmen who preside over the departments of Home Government, irrespective of party, share more or less, in the traditional abhorrence of the nation from any and every kind of administrative direction over public life. . . . Nothing could be more disquieting to an average Englishman than the thought that he must follow the orders of a London bureau as if they were so many provisions of the law. . . . The ancient law that England is governed according to law, and not according to the instructions of officials, remains unshaken to this day.

It can thus be easily seen that the English people themselves do not hold a high opinion about the utility of the local government board but rather the contrary. They abhor the idea of putting an official administrative control over public life. The idea is rather continental, which is disliked by the English as can be seen from the following passage from the same book:—

Englishmen have wisely set limits to that centralised omnipotence which the Continent too often admires as the zenith of statesmanship . . . The continental idea of an almighty state which exerts a mysterious and indefinite authority over "subjects" is "un-English"—(*Volume II, pp. 8 and 9, "Local Government in England" by Redlich and Hirst.*) . . .

Mr. D. C. GHOSE: I rise to a point of order. The hon'ble member proceeded on the assumption that there was a definite proposal to create a local government board.

Babu NITYA DHON MUKHERJEE: This is a motion which does not require a very long speech, because, practically speaking, it only requires certain information.

It was most unfortunate that one of the speakers on the resolution—I mean Raja Maniloll Singh Roy—said something as if we have come here to-day to introduce a local government board in this province. If an outsider heard his speech he would think that the speech made by him was against the motion of Mr. D. C. Ghose which has been withdrawn and not against that of the Rai Bahadur. The present motion requires

certain information, and to ensure that end, the publication of a memorandum is proposed to be made which is not likely to cost a large sum of money. But may I ask, what will be the effect if the local government board system is introduced into India? Some members seem to think that because the system of local government board has been successful in England, so let it be introduced in India also. But is it not essential and desirable that in order to ensure its success here, the machinery which contributed to its success in England, should also be introduced here prior to the adoption of the system itself? We should first of all know what it is; it would be futile to try practical experiments in science without proper apparatus.

The present motion simply seeks to get certain information about the working of the local government board in England. Sometime ago, the Secretary of State appointed a committee for considering the question of the advisability of introducing into India the local government board system as it existed in England, and the Hon'ble Minister in charge of the Department of Local Self-Government was also associated with that committee as a member. The committee recommended in favour of the introduction of the system of local government board in India, but before we consider the question of its transplantation here, should we not do well to know what it is? What is the constitution and function of the local government board in England? We should know the recommendation of both Houses of Parliament and of the Joint Committee on this point. We should further know the report of the committee especially appointed by the Secretary of State in which our popular Minister was a member.

I support the resolution as it stands and not the points raised by the mover.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I am a straight man and love to fight a straight fight. Mr. D. C. Ghose has withdrawn his resolution because he found that the feeling of the House was not favourable.

Mr. D. C. GHOSE: I rise to a point of order. Is the member in order in imputing motives to me?

The DEPUTY-PRESIDENT: Perhaps the member will withdraw his remarks.

Rai JOGENDRA CHUNDER GHOSE Bahadur: The first part of the resolution of Rai Radha Charan Pal Bahadur suggests that a memorandum should be formulated describing the English system of the local government board and that Government should indicate the lines and modifications whereon a similar organisation might be set up in this province, *i.e.*, Government should introduce the English system in Bengal with modifications. The second part of his resolution asks that without committing themselves to any definite scheme of action the

Government should publish and circulate the said memorandum to elicit general public opinion and the views of local bodies concerned. Mark the words "Government should indicate the lines whereon similar organisations may be set up in this province."

I am not opposed to the introduction of the system as it is in England or other countries. But the question is that we are not financially well-off and every one of us here apprehends that the cost of the machinery will be thrown on the shoulders of the long-suffering poor people of Bengal. Until we know that that apprehension is not well-founded, we should be no party to such a resolution or intend to bring forward a resolution of this nature hereafter. I believe Rai Radha Charan Pal Bahadur in his heart of hearts would not like a further burden on the poor people of Bengal, and therefore, he says, his resolution is non-committal.

Rai Radha Charan Pal Bahadur wants a memorandum to be formulated describing the constitution and working of the English system of local government board. There are books on the subject, and any one can read them, if he cares to. If any of us is not willing to purchase the books and read them, I shall at my own cost publish a memorandum describing the constitution and working of the English system. I cannot be a party to Government spending about Rs. 20,000 on this matter. (A voice: "Would the memorandum cost so much?") Of course, for whenever Government undertake any scheme, they never spend a small amount. Therefore, upon these grounds and not upon the ground that the local government board would not be of any benefit to the people of Bengal, I oppose the motion.

Mr. J. CAMPBELL FORRESTER: I rise to support the resolution. I consider it is essential that there should be a body of experts such as the local government board at Home to check any hasty and ill-thought out scheme and to look after the ratepayers' interests. There are times when financial scandals or supposed scandals can be looked into carefully if desired by a few members of the Council. I remember from my municipal experience at Home where we had a big scheme for the purchase of land, it was thought that the committee who were dealing with the subject had had some unfair dealings which were detrimental to the ratepayers. An inquiry was demanded by a section of the Council and it was granted. The local government decided that there was no room for the slightest suspicion. Thus every body was satisfied and no doubt of unfairness was left in the mind of any.

From my experience of a Home municipality, I consider that the local government board is of great use: supposing a housing scheme was essential, on account of the scarcity of housing accommodation for the citizens, but funds are not available; then a scheme would be drawn up by the municipality and submitted to the local government board if it was found feasible and that body (the local government board) approved of same, then the latter would apply to the Government for the

money which would be granted on their recommendation. As the House of Lords is considered to be a safeguard against hasty and ill-thought out schemes, so would the local government board act as a check on all ill-considered schemes of the municipalities. Therefore, I feel that I cannot but support the resolution, and I hope that the House will assist the mover to carry his resolution.

Maulvi YAKUINUDDIN AHMED: The resolution about the local government board has been moved by my friend, Mr. D. C. Ghose, and a similar resolution has also been moved by Rai Radha Charan Pal Bahadur. Mr. D. C. Ghose withdrew his resolution because he thought it proper that the members of this Council should be more familiar with the working of the English system first. Therefore, he preferred to wait till he could furnish us with a description of the working of the local government board in England. But my friend, Rai Radha Charan Pal Bahadur, cannot wait, though it seems that he himself is not familiar with the working of the English system. He thinks it must be supported because it has worked well in England. We have got many white elephants in the various departments, for which the people have to pay without deriving any benefit therefrom. I fail to understand why we should set up another new department—the local government board—which is nothing but a body of experts and which will require a very large amount of money to be entertained. Is it an opportune moment, when we have a deficit of Rs. 2½ crores, to bring forward such a resolution as this, namely, to set up in Bengal a local government board similar to that in England? Even in England we understand this board has been replaced by the Board of Health—though a change in name, still it is nothing but the Health Department of Government. Therefore, I submit, that when we have, under the Reforms Scheme, got a Minister for the Local Self-Government Department and there is the Sanitary Commissioner under him, we ought to utilise the materials that are already before us instead of launching upon a new scheme of bringing into being a department of experts costing a large amount of money which the country at the present moment can ill-afford to pay.

With these words, I beg to oppose the resolution.

The Hon'ble Sir SURENDRA NATH BANERJEA: I think I may intervene at this stage in the debate, which perhaps will have the effect of saving time and simplifying matters. I fear there has been some misconception both with regard to the resolution and also with regard to the constitution of the local government board in England. I should explain first of all the constitution of the local government board in England. The local government board in England means not a board consisting of a number of experts, but it means the Minister of Public Health like myself. One man, one individual, one responsible Minister is not a board at all in the sense in which we understand that term.

That is the first misconception which I desire to remove. He is of course assisted by experts; he has got an establishment of his own—auditors, engineers, surveyors, inspectors and so on; but the board means himself, and he is the autocrat of the situation. His will is law, just as mine is in many matters in regard to questions of public health. He may take the advice of experts, just as I take the advice of my standing committee, but he is no more bound by his experts than I am in regard to the advice tendered by my standing committee. Therefore, the House must realise in the first place that the local government board in England consists of one individual and one individual alone, and he is the Minister of Public Health. Of course, he is responsible to Parliament in the same way as I am responsible to you. The board consists of one person assisted by a body of experts who are subordinate to his authority and he is not bound in any sense to be guided by the advice of these experts. His will is law, subject to the responsibility which he owes to Parliament.

Then there seems to be a further misconception in the remarks which have been made. There apparently is an idea among some members that the object of the resolution is to establish straightaway a local government board in Bengal, but I do not think that the resolution means anything of that sort at all. It is very modest in the demand that it makes upon us. My friend, Rai Jogendra Chunder Ghose Bahadur, who is such a careful custodian of our purse, says that Government will have to spend Rs. 20,000 if this resolution is accepted and if the memorandum referred to be issued. I fail to understand why it should cost Government such a large sum of money in order to issue the memorandum. All that would cost the Government would be that it would throw an additional burden upon my friend, Mr. Goode, to write out the memorandum. It would also cost the Government about Rs. 100 in the shape of paper, printing, etc. Therefore, pray do not be farmed at the spectre of expenditure which my friend has conjured up before your vision. It is a demand for information, not a demand for the purpose of establishing a local government board. So far as the Government is concerned, we have not the slightest objection to issue the memorandum. Light, more kindly light, amid the encircling gloom, is the motto of Government. We are anxious to place before the House and the country the amplest information regarding all matters in connection with which there is a public demand. This question of local government board has been before the country for a number of years. As my friend, Rai Radha Charan Pal Bahadur, has pointed out—and I may observe parenthetically that it is always interesting to listen to his remarks because he explores the ancient history of every question that he takes up—this question of local government board was first mooted in the year 1882 by Lord Ripon in the time of Sir Rivers Thompson when he was Lieutenant-Governor of Bengal. I distinctly remember the

facts. I have also been discussing this question in my public capacity as a member of the Imperial Legislative Council. I think it was my friend, the late Mr. Gokhale, who also brought this question up in one of the debates of the Imperial Legislative Council. Thus it is a question which has been before the public for a long time; it is a question with regard to which some amount of attention and interest has been raised. We are indebted to Rai Radha Charan Pal Bahadur and to Mr. D. C. Ghose for having placed it before the House in order that full and ample information may be obtained so that the action of this House may be guided by it. All that Rai Radha Charan Pal wants is a memorandum for the purpose of eliciting information. In that memorandum I want to modify his resolution to some extent—all that the Government will want will be information, so that upon the basis of that information the House and the country may consider what possible steps may be taken to strengthen the local bodies and to co-ordinate their activities.

The question of expenditure has been referred to. Undoubtedly, if we establish a local government board, it will be necessary to incur heavy expenditure, and I, for one, in our present financial position, cannot suggest that such expenditure should be incurred. But in the meantime, there is no harm in getting information. This Government would not be a Government capable of performing its duties adequately if it were always to remain in a state of financial difficulty. Assuming that our financial condition improves,—and it is not too much to hope that matters will improve—this information may be obtained in the meantime so as to be available and of practical use when we are in more prosperous times. I, therefore, think that the resolution which my friend has placed before the House may be accepted with the modifications I am about to suggest and which my friend is willing to accept. The resolution thus modified will run as follows:—

This Council recommends to the Government that a memorandum be prepared by the Hon'ble the Minister for Local Self-Government describing the constitution and working of the Local Government Board in the United Kingdom and explaining in what points it differs from the system in vogue in this province with the object of ascertaining whether the Ministry of Local Self-Government can be brought into closer relations with local bodies so as to enable their activities to be properly co-ordinated, stimulated and controlled.

My friend has accepted the resolution, and I hope the House will accept it too. I myself have been in favour of a local government board all along, and though as a matter of principle it is desirable that we should have a local government board, the present circumstances of Bengal have to be considered. I therefore suggest that the House will be graciously pleased to accept the resolution as modified.

The DEPUTY-PRESIDENT: The question before the House is whether the amendment proposed by the Hon'ble Minister should be allowed.

The amendment was allowed.

The resolution, as amended, was put and agreed to.

Diploma-holders of private medical institutions.

The following resolution, which stood in the name of Dr. Hassan Suhrawardy, was withdrawn with the intention of bringing it up in a new session:—

"This Council recommends to the Government that the concession granted by a 'transitory provision' to diploma-holders of private medical institutions previous to 1914, be extended to a further period of three years."

Settlement Operations.

Mr. BIJOY PROSAD SINGH ROY: "This Council recommends to the Government that the survey and settlement operations be postponed for three years in those districts of Bengal where the works have not yet been begun."

I think the House will naturally expect an explanation from me for bringing forward this resolution again after the long and learned discussion on this subject during the budget debate, and in doing so, I have two grounds—one is, our financial prospect has undergone a complete transformation since the last budget; and the other is the present economic condition of the peasantry of Bengal and the effect of the survey and settlement operations on it. In spite of strong opposition from the non-official members of this House during the last budget the Government decided to go on with survey and settlement works in certain districts, and the Government, I presume, did so in the hope of having substantial financial help from the Government of India, because even then the Bengal Government were threatened with a large deficit. The Hon'ble Finance Member expressed such a hope in his speech in introducing the budget, but facts have proved otherwise, and all our expectations of help from the Government of India have now been exploded, so I think that it is prudent to stop the survey and settlement works because not only are they very costly but because there is no need for them at present. The urgency of their need can never be justified. The Hon'ble the Revenue Member, in reply to my question at the beginning of this session, said that by accepting the principle of a two-party basis there would be a saving of 13 lakhs in the year 1922 and 12½ lakhs in 1923. The balance 16 lakhs out of the total grant of 29 lakhs for the year 1921 will be required to carry on the work already in hand, so that if the work of survey and settlement is discontinued altogether and no new work is taken up, calculating at the minimum rate of Chittagong which cost Rs. 16,16,604 the expense will be over 64 lakhs in three years even to complete any new work in four out of these eight

districts. This is a sum which, in the present financial conditions of Bengal, we can hardly spare. We can utilise the sum for other urgent needs. I propose that the work be postponed for another three years, that is, up to 1925. Even if the Government go on with the work in hand, they will certainly require three years to finish the work. My proposal is that no new work be taken up under the present financial conditions. We hope that after three years the Government of India will come with liberal contributions to our province, and will do some justice to a province which is the greatest contributor to the Imperial exchequer.

My second point is the economic condition of the peasantry of Bengal. Since the last war the cost of living has gone up very high. Even in the last session, the Council accepted a resolution for increasing the salaries of the ministerial officers of the Government. This question of high prices has affected the rich landlords, merchant princes, highly paid Government officers, but what of the ill-clad, half-famished peasantry of Bengal suffering from malaria and over-taxation and what not? Settlement works will entangle them into prolonged and costly civil suits, will subject them to enhancement of rent and to hundred other miseries. So my humble proposal is that, considering all these things, it will be prudent and expedient to postpone all survey and settlement work.

With these few words, I commend the resolution to the acceptance of the House, and I would request the House to consider the question very impartially and accept it on its own merits.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Government have anticipated the mover of this resolution in this sense that His Excellency Lord Ronaldshay when addressing the Legislative Council the other day at the opening of this session, mentioned to the members of this Council that owing to financial stringency, the settlement operations would now be on a two-party basis. Now, that being so, in practice this is going to mean that new survey or settlement operations in any new district will not come up for three years, and as the mover of the resolution suggests that settlement operations be postponed for three years in those districts of Bengal where the works have not yet been begun, it will be seen that Government have already, in view of this reduction to a two-party basis, accepted the principle which this resolution proposes. For that reason, I think that now that I have informed the mover of the resolution that that is what it means, in practice, it is not necessary for me to accept the resolution, or for him to press it.

Mr. BIJOY PROSAD SINGH ROY: In view of the information given by the Hon'ble Member, I beg leave to withdraw the resolution.

The motion was then, by the leave of the Council, withdrawn.

Calcutta Tramways Act.

Rai RADHA CHARAN PAL Bahadur: "This Council recommends to the Government that the Calcutta Tramways Act be so amended at an early date as to include the following among other provisions:—

(*i*) amendment of section 9 of Bengal Act I of 1880 so as to give power to the Corporation in the matter of fixing rates and fares;

(*ii*) amendment of section 12 of the same Act so as to give power to the Corporation to prescribe the length of street which may be opened up from time to time;

(*iii*) amendment of section 18 of the same Act so as to make the penalty for default really deterrent;

(*iv*) amendment of section 29 of the same Act on the lines of section 32, sub-section (3), of the English Tramways Act of 1870 (33 and 34 Vict., c. 78);

(*v*) amendment of clause 9 of the Schedule to Bengal Act IV of 1900 so as to give effective power to the Corporation in cases of default contemplated therein, and to make the penalty for default on the part of the Tramways Company really effective; and

(*vi*) specific statutory powers to be given to the Corporation to take up the control and management of the tramways traffic, as a temporary measure, in the event of a prolonged suspension or dislocation of the tram service."

In moving this resolution I desire to say a few words. I have just got down some amendments which have struck me, and I believe my friend, Mr. K. C. Ray Chaudhuri, will follow me with his suggestions. I may say at once that this is not an exhaustive list from the public point of view. This Act, which, I may say, is now an ancient Act, should be revised and redrafted. Before I dwell upon the various suggestions that have been made I wish to take up one item which is most important at the present moment. The agony which the people of Calcutta are condemned to suffer from prolonged tramway strikes is well-known to the members of this Council. The members of the Corporation and even the members of this Council have been approached by the people of Calcutta beseeching for a radical remedy to effect the restoration of the tramway service. As members of the Corporation, we have been charged with neglect of duty because we have not put sufficient pressure upon the Tramways Company to resume their services. As members of the Council, we have been accused of being apathetic and not taking up this important matter with a view to legislative action. This is the position, and if on any important matter public opinion is unanimous, it is on this question of the tramways of Calcutta.

I will take up this most important point, that is the suspension of tramway service, first. Clause 9 of the Schedule provides that in case of default in the running of tramway service, the Chairman of the Corporation may serve the Company with a notice for the resumption of their services, and in case they decline to do so, the matter may be referred to arbitration and the arbitrators will be nominated by the Corporation and the Tramways Company. If the decision is in favour of the Corporation after some months (so long as the people of Calcutta will be a continued agony), the Calcutta Corporation will have the satisfaction of imposing the full rate, which they remitted to the Tramways Company when they converted the horse traction into electric traction. I propose to go very briefly into the ancient history. Formerly there was payable a sum of Rs. 4,000 as a track rent, when the horse traction existed. When it was converted into electric traction through the endeavours of the Tramways Company and the Corporation, and also, I may say, with public support—because public meetings were got up at that time—they compounded with the Corporation for a lump sum of Rs. 35,000. That is a permanent sum for a practically perpetual monopoly which they are paying to the Corporation as the track rent of the existing tramway service in Calcutta.

The only remedy that is provided is that when the arbitrators decide in favour of the Chairman, the Corporation will be enabled to impose the full track rent of Rs. 4,000; a few thousands difference in the long run. That is no satisfaction to the people of Calcutta after a long and protracted agony. What is suggested in this motion is this, that we should empower the Corporation of Calcutta (its Chairman) to take up, in case of default or emergencies if necessary after giving proper notice to the Company, temporarily the tramway service, pending the settlement of disputes between capital and labour or Corporation and Tramways Company. I think that it is a very reasonable proposal, having regard to the fact that the rate-payers of Calcutta have given a perpetual monopoly to the Tramways Company of their roads. I think it necessary therefore that they should be under proper regulations, so that they may not on any occasion put the people of Calcutta to any inconvenience. That is one point.

Then I come to other amendments more or less important—amendment of section 9 of Bengal Act I of 1880 so as to give power to the Corporation in the matter of fixing rates and fares. At present section 9 of this Act prescribes a maximum fare of three annas for a run not exceeding three miles. You will find that there is a maximum of three annas even for a mile or less, whatever the distance may be. The Corporation have from time to time made representations on the subject due to the complaints made by the rate-payers of Calcutta, and I know from my own knowledge that people living in Chitpore Road near Jorasanko, if they have to come from an area outside Cornwallis Street, to somewhere in

Chitpore Road, have to pay double the fare in order to reach, say, Nutan Bazar. The Corporation some time ago made a suggestion that the Company should grant transfer tickets to such persons, as the fare which is three annas on account of the double ticket issued at present was not fair. The Tramways Company said that they had the power to fix any fare not exceeding three annas for any distance. In the matter of Behala, Kidderpore and Alipore, when the Kidderpore bridge is closed the Company impose additional fares, although the people have to walk a couple of furlongs to get into the tram on the other side. That matter was brought up for consideration by my friend, Babu Surendra Nath Mallik, in the Corporation, and the Corporation made a representation to Government on the subject. I believe that the Government will reply quite complacently that they have no power because there is the law which enables the Company to fix any fare up to three annas for a distance up to three miles. Having regard to these facts, the Corporation have from time to time made representations to the Government for the purpose of amending the law. No step has yet been taken.

Then coming to section 12 of the same Act to give power to the Corporation to prescribe the length of street which may be opened up from time to time—I need not read out to you the whole section. Section 12 gives them power, without the sanction of the Corporation, to open up any section of the roads not exceeding certain lengths. What I and the Executive Engineer of the Corporation find is this, that without notice they open up whole streets and the road is blocked entirely. We go and impeach our road engineers who reply that they can do nothing, as the work is being done by the Tramways Company. In spite of the fact that it might be a day of festival—*Dasra*, or something like it,— or it might be an important road, they open it up without taking into consideration the inconvenience caused to the public, as if the roads were their ancient zamindari and permanent settlement. I think that in this case the sanction of the Corporation—I believe that the Hon'ble Mr. Kerr is going to reply to me and I hope that it will be admitted that it is not the individual Commissioners interfering in the matter but the Chairman or the Chief Engineer—is necessary. I want that much and nothing more. I think that that is an amendment which, in the interests of the city, ought to be admitted.

Then as to the amendment of section 18 of the same Act so as to make the penalty for default really deterrent, section 18 of the same Act prescribes the maximum penalty of Rs. 200 for default in respect of various items, one of the most important of which the maintenance of the tramway track. I may tell you this, that there is an interminable record of complaints from various distinct communities, individual Commissioners and from the Corporation. Resolution after resolution has been passed complaining of the indifference and the dilatory way in which the repair

work is taken up by the Tramways Company. Both sides of the road are laid up with asphaltum. The old antiquated stone-set tramway track is worn out and a perpetual source of inconvenience, trouble and danger to traffic is maintained. Letter after letter, I may say as a Municipal Commissioner of several years' standing, has been addressed by the District Engineer. Sometimes the Chairman is bothered. He also writes, but practically no heed is given. I do not mean to say that they do not take up any repair work at all, but they are so dilatory and so indifferent to the requirements of the Corporation that we cannot do anything, and even this fine of Rs. 200 has for the time being been suspended by mutual agreement between the officials of the Corporation and the Tramways Company. No prosecution will be instituted if they say, "We will take up this work." I may tell you that in some important roads, for instance Chitpore Road, we have been insisting times without number that the repair work should be carried out at night, so that there may be no obstruction to traffic. They have steadily refused to comply with that. They say that they won't do it, as it is expensive. Well, that is the position in which the Corporation is placed. The Hon'ble Mr. Kerr may say, if we go up to him, "There is the Act, and you must submit to it so long as the agreement exists." I would come to the agreement later on.

Amendment of section 29 of the same Act on the lines of section 32, sub-section (3), of the English Tramways Act of 1870. In this section a very curious and noticeable difference is made between a company and a corporate body in India and a company and a corporate body in England. In this section if in the execution of the work of laying pipes, or drainage or diversion of roads, any injury or loss is sustained by the Tramways Company, the Corporation must make good the loss, but I find in the English Act that the English Corporation is safe from any such damages. Here is this difference. I do not know why that difference should exist at all.

Now I have exhausted all the amendments of which I have given notice and I do not wish to take up your time at this fag-end of the evening. I want to say only this. There are other suggestions made by my friend, Mr. K. C. Ray Chaudhuri. I whole-heartedly support his motion and I am quite prepared to accept his amendments if they are to be amalgamated with my resolution. If the Act comes up for amendment, I am sure that other members of the Corporation will make practical suggestions in the interests of both the parties, *viz.*, the ratepayers and the Tramways Company.

Before I sit down, I wish to say one word regarding the agreement. I have heard so often the Hon'ble Mr. Kerr dinning into my ears—"How to get rid of the Act?" I have consulted some of my lawyer friends. I do not mean to say that that is a counsel of perfection, but still what they maintain is—"Let the agreement remain as it is, as they have the

monopoly up to a certain number of years, but it is the provision in the Act which requires to be modified." We want to take more power than what is given in the agreement. In the agreement there is a clause for arbitration. In addition to that I want that there should be a clause in the Act giving power to the Corporation on exceptional occasions to take up the control of the tramway service as a temporary measure in order to relieve the agony of the people of Calcutta, and I do not see why that should not be done. With these words, I beg to move my resolution

Mr. KRISHNA CHANDRA RAY CHAUDHURI: I beg to move, by way of amendment, "that in motion No. 36 the word 'and' at the end of clause (*v*) be omitted and the following further clauses be added after clause (*vi*), namely:—

'(*vii*) provision for the payment of living wages to the employees of the Company;

(*viii*) Provision for the establishment of provident funds for the benefit of the employees; and

(*ix*) provision for an arbitration board with at least two elected Commissioners of the Corporation as members of the board, to settle all disputes regarding wages, working hours, overtime allowances, dismissal and leave.' "

My amendments are simple and self-explanatory, and I commend them to your consideration, specially the principles involved.

Those who have watched the tug-of-war—the one-sided tug-of-war—between the Tramway masters and the Tramway men, must have noticed that the struggles of these men, condemned unheard, refused a hearing to the only court of jusitice, *viz.*, the Government, were almost a farce It may be that all the forces—I mean the Government, the public and the masters—were arrayed against labour, but the public had every right to know whether the dismissal was just or unjust before supporting the Company to stamp out disgrace from the system of employment, but that opportunity has not been given by the refusal of a Conciliation Committee. However, my point is that if the Government or the Corporation had some clauses reserved to see that wages commensurate with the cost of living were paid, there would have been no necessity of the unfortunate strikes which cost the Company more than Rs. 3 lakhs nearly to teach a few ill-paid and illiterate men that they must rather go half-fed and half-clothed than take advantage of the very lax system of checking the Company has hitherto maintained. Poor pay and ill-gotten gains go hand in hand in this country. I think my zamindar friends will admit that they have gomastas and naibs who receive fat salaries ranging from Rs. 10 to Rs. 20 a month and they are allowed to make something, some road or other, and that is how dishonesty thrives in this country, because "living wages" are not paid and scales are not revised. I, therefore, urge that when the amendment of the Tramways

Act takes place, a clause should be put in that "living wages" must be paid to the employees and powers left with Corporation to go into the question of wages from time to time. After all, it is the Corporation which grants free land and full monopoly to the Company to enable it to maintain the service, and it must therefore have this right, which is essential for the preservation of our working classes, seriously handicapped by crushing economic pressure of high prices and high rents.

My second principle is that in order to ensure honesty you must secure permanent interest of the employees by some bond or attachment such as "provident funds" or pensions. If any thing that has made our Provincial Civil Service straight and good, that is pension, which is just as good a reward for good services as provident funds.

My third principle is that in respect of strikes the Corporation should have power to mediate and end the misery of the public which follows a public service strike. At no distant date the supreme control of the Government will be entrusted to our care, which includes protection and preservation of millions of manual workers and covenants like this for the protection of labour before the transfer of the responsibility of Government to the Indian nation will be in accordance with the express desire of Parliament and the Parliament of all the Parliaments, *viz.*, the League of Nations. After all, the councillors upon whom our future Government will rest are very ill-informed about labour, as I found to my misfortune when I invited a discussion on picketing the other day, and I am afraid that when those councillors who opposed my motion come to power they will ignore the necessity of protection of labour—the vital force of any civilised Government—more than even the retiring bureaucracy has done. I cannot help mentioning that a good deal of prejudice exists in the Council regarding labour legislation. Some members went so far on the day of discussion on "picketing" as to say that transplantations of English Labour Acts are innovations unsuited to the conditions of this country. I take this opportunity to tell them that the Factories Act, Indian Mines Inspection Acts, Boiler Acts, Smoke Nuisances Acts, and even the Indian Companies Acts and the Laws of Bankruptcy are all of them industrial and commercial legislations that have been followed in this country on British models. In fact in certain matters we are far ahead of English system and we have been benefited by the experiments made in England. Take, for example, the State railways, which are perfect illustrations of nationalisation of industries and transports. The British industrial democracy, notwithstanding repeated demands, has failed to achieve them, but we have got them in India, *viz.*, the State railways. My point is that State interventions on proved lines are the only guarantees of healthy, contented and reliable labour.

Rai MANENDRA CHANDRA MITRA Bahadur: The discussion on motions Nos. 36 and 37 may be separated for the purpose of explaining matters, as they refer to somewhat different subjects.

My submission to the Council is that there should be a harmonious feeling between the Calcutta Corporation and the Tramways Company. The Government is the custodian of law and the Tramways Company depend for their existence on a statute. It is, therefore, necessary to see how far the statutory provisions override the agreement which is said to have been entered into. My contention is, there should be no difficulty in amending section 9 of Bengal Act 1 of 1880 so as to give power to the Corporation in the matter of fixing rates and fares. You will notice that the Company have to work on certain conditions. They are either to work at a profit or at a loss. They are not expected to work if they lose. That is one view, but if extraordinary charges are made, people of the city would come forward and say that the fares and rates are not reasonable. Who is to decide this question? The Government will assert that these are the rates and the Company have the authority under the statute to fix the rates and fares. But now the Corporation wants power for the purpose of fixing the rates. My submission is that both these divergent views cannot be entertained and a harmony should be established between the two views.

The Corporation wants power over the Company's actions. I think it is reasonable that Government should interfere in this matter, and that whether steps are taken by the Tramways Company, they should be under the control of the Corporation. The right of ownership is vested in the Commissioners so far as the roads are concerned. There is no doubt in the matter. Therefore, if the owners of roads consider a certain action is desirable, is it not reasonable that Government should take steps in the matter to see that the actions of the Company are controlled by the Corporation. But the Company may argue that it would be of great disadvantage to them if a third party interferes in the matter. In view of our sad experience of continuous strikes in the city and the inconvenience we have been put to, we are obliged to appeal to the Government for intervention, and it is high time that Government interfere and put the matter in a statutory form. This is the ground for which the learned mover asks for the amendment of the sections. It is not necessary for me to dilate on the subject, because I find that the other amendments are subsidiary amendments, and if the power to the Commissioners are granted, the other amendments will follow.

As regards the suggestion of my friend to Mr. Krishna Chandra Ray Chaudhuri, it is the old question, namely, the settlement of living wages. I was a member of the Industrial Unrest Committee and discussed all these matters. My friend came forward with a motion asking for the settlement of the minimum wages. I am always for the giving of living wages by the Company, but how that can be settled was the point discussed by the Committee and my friend took an active part. It was a difficult problem to decide whether statutory power be given for the purpose, and we came to the conclusion that the Conciliation Board may take up the subject. Mr. Chaudhuri took that view also. In

fact it was he who made that suggestion to the Committee. He now says that this question is to be settled by the Corporation. I ask him to consider who is to settle this matter. We asked him at that time if the English Act of 1875 was to be enacted; he did not then agree to it, inasmuch as the provisions of that Act are very stringent. The question of living wages must be decided by somebody and I want to know who that somebody is to be. I have no objection if the Conciliation Board does it. Then, again, Mr. Chaudhuri came forward with the suggestion that the Council should accept the provisions of the English Picketing Act. I asked him to refer to the report of the Royal Commission of the year 1906. That difficulty was felt by those who framed the report. That report was not referred to in the course of discussion in the Council. I had the honour and pleasure to read it twenty times and I find that the provisions of the English Act are more stringent than what he could suggest There have been a large number of decisions on the abuse of the Picketing Act.

Babu RISHINDRA NATH SARKAR: I rise to a point of order. Is it relevant to the resolution and discussion?

The DEPUTY-PRESIDENT: I think he is relevant.

Rai MAHENDRA CHANDRA MITRA Bahadur: As regards the provident fund, who is to settle that matter? These, I think, are matters which do not come within the scope of the resolution which the Rai Bahadur has referred to.

Colonel A. J. PUGH: This is the first time that it has been suggested that an agreement which had been entered into between two parties may be broken at the instance of one party without the consent of the other. The agreement between the Calcutta Corporation and the Calcutta Tramways Company was entered into on the 2nd October, 1879. That agreement is annexed to the Act of 1880. All that the Act of 1880 does is to enact the provisions for carrying out that agreement In 1879, the Corporation had the option of providing tramways themselves, but as they were not in a position to put out the money necessary to do so, and there were persons who were prepared to put out the money and run the tramways, the Corporation entered into an agreement with them. Under the Act of 1880, the Corporation had the option of taking over the tramways themselves at the end of 21 years. The Corporation neglected to exercise its option and by the Act of 1900 the period of option was extended to 31 years. There still remains 10 years before the expiration of that option and, as far as I can see at present, the only thing the Corporation can do is to find out whether it will be in a position to take the tramways over at the expiration of the term.

As regards the opening up of roads by the Tramways Company, I think everybody knows that considerable inconvenience is often caused,

but that is provided for in the Act, by which notice has to be given to the Corporation, and if the Tramways Company do not give notice, the Corporation can take steps.

Babu SURENDRA NATH MALLIK: I do not like to go into the technicalities of the sections. I would rather place before the Council some points over which I have been fighting. As regards the present contract, Colonel Pugh says that as there has been this contract, how can any attempt be made to go behind it? That is a bigger question and I do not like to touch it, but I may just ask how the Rent Act interfered with existing contracts. The Rent Act was passed because it concerned the Europeans. They were the persons who were affected by it and therefore all private contracts could be trampled under foot. Was not the Contract Act brushed aside when the Rent Act was passed? Why has that been trampled under foot? That has been done only to suit the Europeans, so that they may get houses at cheaper rates. Do not say these things but go along with the true facts. If the Tramways Company go on persistently creating trouble, I suppose that we should ask for certain larger powers to put that down. First of all, I may mention the question of fares. I submit that the fares in Calcutta are extortionately high. In Bombay, for four pice to my personal knowledge, you can go over the whole length of four miles, and I believe for six pice they will allow you two transfers almost to any place in the town. Here, from my house in Bhowanipur to Park Street—barely a distance of a mile—I have got to pay eight pice. There, again, arises the question as to why there should not proportionately lower fares for smaller distances or at least for half lengths as they have in Bombay. The reason why they have it there is obvious; there are two strong railway lines on both sides of the city, *viz.*, the G. I. P. and the B. B. & C. I. Therefore there is competition and there is this result. In connection with the matter which I brought to the notice of the Corporation with regard to the increase of fares in the Kidderpore section after the bridge was dismantled—to which my esteemed friend, Rai Radha Charan Pal Bahadur, has referred—the Manager was sent for. He was there with us and all these questions arose and amongst them was this question as to why two transfers for ten pice should not be given. The Manager said, "Oh, it is not possible." I said, "Why is it not possible, it is possible in Bombay?" He said, "It may be possible in Bombay, but it is not possible here." That was his attitude. Why? Because he knew that he had the monopoly here in Calcutta and there was no other carrying company to compete with him. That is the whole question. If we had any other railway round this town or a circular railway of the kind as they have in Bombay, they would have been bound to drop the fares in no time. I therefore suggest that we should have larger powers to control these rates. In connection with this matter I beg to mention one fact

and it is this: When this monopoly was first created, there was at the time a very unfortunate relationship subsisting between the grantor and grantee. The grantor was the Chairman of the Calcutta Corporation. He was William Souttar, and the grantee was his brother, Henry Souttar (a voice: "Robinson") — yes, Robinson Souttar — on behalf of the Tramways Company. One brother was to give and the other was to take, and the result is that we are sufferers. For, after all, blood is thicker than water. That is the whole history of the tramway movement in Calcutta.

There is another thing to which I would like to draw attention and it is this, that everybody knows that in Calcutta cars are overcrowded to any extent. You will see both in up and down cars passengers have always to stand up. In answer to my question on the subject the Chairman of the Calcutta Corporation said that it was only during office time that it happened. It is absolutely wrong. It happens all the time, and I have drawn his attention even to the facts that on Sundays in the morning I have seen myself passengers 18 in number, in every car, higher than its carrying capacity and they have all to hang about like bats. We wanted to interfere in this matter in the Corporation. I put questions on the subject and the Chairman said that he could not interfere and the result is that the Tramways Company take no notice of it. We wanted the number of cars to be increased, but the Company would not listen, for they know very well that they have very strong friends here and stronger friends elsewhere. I know and speak with all the assurance which I have of having a positive knowledge that since the introduction of the new system of tramways — I mean the electric system — a very high official, one of the highest officials, bought 100,000 shares, and if I am challenged I shall be able to give the facts about it; and another subordinate official, somewhat subordinate to him, bought. I am not sure about the figure — about 300 shares and the result is that there is his inconvenience. I know from my personal experience that people, in order to get to office near Clive Street, have got to pay fares twice over. First of all they have to take a car from Bhowanipur and go right down to Kalighat depôt and then come again, and that is being done every day. The Tramways Company reap a rich harvest out of it and they take no notice of the situation. We have been crying over it. The Corporation is powerless because there is this contract, as has been said by my esteemed and gallant friend, Colonel Pugh. Were there no contracts when the Rent Act was passed? But you could trample them under foot because it was convenient to do so and there was nobody to say anything. So long as the contract will stand you cannot do anything in this case. What my esteemed and gallant friend says is: Let the Tramways Company do whatever they like, but you cannot break the contract. A beautiful contract, indeed, and a beautiful idea of how the contract has to be carried out! I come next to the third question and that is a very important matter. We must insist on a Local Board

of Management or whatever you may choose to call it. Whenever an important question arises, the Tramways Company say that they have referred it to their Board in London. It is a Company incorporated in London and that name is enough to paralyse everybody and nothing is done. Look at the strikes that took place this year. I have nothing to say either on behalf of the Company or on behalf of the conductors I do not like to enter into that question, but the fact remains that much time was wasted over this, in referring the question to the Home Board They could not do anything and that means a loss of time, and this again allows them to make a pretext, and that is the reason why we should insist in the case of the Tramways, the Electric Supply Corporation and all public utility service companies who enjoy a monopoly in this town that they must have a Local Board of Directors in order to listen to the grievances and to give relief as soon as possible. That is an item which ought to be considered when the Act will be next amended. What we should have is larger powers of compulsion by the Corporation on the Company. Look here, for the present there is no tramway line in Ballyganj. Why not? I brought it to the notice of the Company I brought it to the notice of the Chairman of the Corporation, and I brought it to the notice of Mr. Bompas when he was going home on leave and when I was a co-opted member, that we should have one tramway line on that side He went to London and asked the Board and the Chairman refused straightaway. He said that they would not have any further extension. Therefore, I say, that we must have larger powers to compel them to have these extensions, otherwise our town cannot develop. Of course, as regards the amendments that have been proposed by my friend, Mr. Chaudhuri, most of them seem to be acceptable, but so far as the first is concerned, when he asks that the conductors be given living wages I encourage that idea, but as a labour member I would certainly request him to ask the conductors to be somewhat more honest. Obligations must be mutual. It is no defence to say that because they do not get living wages they should steal. As he is a man whose voice, I know, will reach them I would ask him to tell them by all means to insist upon this increase in wages, but at the same time they should be somewhat honest. know from my personal knowledge that many of them are not. I was once insulted myself when I was going a short distance in Bhowanipur I paid a two-anna bit and asked for a ticket, and just as I was about to get down, the conductor returned me an anna. I said, "What right have you to insult me in this way?" and the man fell at my feet, and with that softness which is characteristic of my race, I excused him. insisted on the ticket being given to me. Therefore I say, by all means insist on higher wages, but at the same time be more honest.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: Perhaps you are an exceptional passenger.

Babu SURENDRA NATH MALLIK: I am sure that many of my countrymen are equally, if not more, honest, but so far as concerns the Company, I think they might easily double the pay of conductors if these conductors promise not to earn Rs.2-8 a day extra.

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. Kerr): In spite of what Colonel Pugh has said, there seems to be still some misapprehension regarding the legal position; and perhaps it will save misapprehension if I amplify what Colonel Pugh has said. The relations between the Tramways Company and the Corporation are regulated at the present moment by the Act of 1900, which gave effect to a new agreement made in that year between the Corporation of Calcutta and the Tramways Company. Besides embodying the agreement in the schedule, the Act itself, which consists of only two sections, states that the previous concessions and contracts of 1879 and 1893, as well as the Calcutta Tramways Act, 1880, and the Calcutta Tramways Act, 1894, shall, so far as may be necessary to validate and give effect to the new agreement, be extended, varied or modified. That is to say, we have got the Act of 1900 as the Act which at present regulates the relations between the Company and the Corporation. Now, that Act made very important changes in the previous Act of 1880. The Act of 1880 gave statutory effect to an agreement entered into between the Company and the Corporation whereby the Company were given powers to run tram-cars along routes approved by the Corporation, to charge fares not exceeding three annas for any distance not exceeding three miles, and to break up streets subject to conditions for the purpose of constructing, maintaining and laying the tramway lines. The Corporation were given the power to acquire the property at the end of 21 years and at intervals of seven years thereafter. The last is perhaps the most important point which was varied by the Act of 1900. That Act was passed in consequence of the electrification of the tramway system. The electrification, of course, cost a good deal of money, and it was open to the Corporation to do it themselves. They did not do it, but they deliberately entered into this new agreement with the Tramways Company to do it for them. I suppose Rai Radhá Charan Pal Bahadur was a member of the Corporation at that time. He and his fellow-Commissioners were responsible in 1900 for the agreement which regulates the working of the Calcutta Tramways Company at the present day. I say that the Corporation of 1900 were primarily responsible and nobody else. As an inducement to the Tramways Company to electrify the system, the Corporation altered the terms under which they could take over the undertaking. They extended the option over a period of 31 years. It will be remembered that before the Act of 1900 was passed, they had the option of buying the Company out at intervals of seven years. The Corporation in 1900 deliberately extended the option of purchase till the 1st January, 1931

That is the legal position at the present moment. Now, that was the contract made deliberately and with their eyes open by the Corporation. It is easy for us 21 years later to stand up and say that it was a bad contract—I do not myself go so far as to say that it was a bad contract—but it certainly appears that the people who made that contract did not foresee what the conditions were going to be in 1921. For instance, they clearly never thought it possible or likely that the employees of the Company would go on strike, because, as Rai Radha Charan Pal Bahadur has very rightly pointed out, the arbitration clause in the present Act was clearly never devised with the idea of meeting occasional strikes; and as a matter of fact, as we have discovered during the last few months, the arbitration clause is entirely inapplicable to a situation of that kind. Therefore, it is easy to those of us who had nothing to do with the contract of 1900 to stand up in 1921 and say that if we had been making the contract, we should have been wiser, we should have had more foresight and we should have made a better contract. It is not so easy for those who like Rai Radha Charan Pal Bahadur were responsible for the contract of 1900 to take up this attitude. However this may be, the fact remains that the contract is there a contract ratified by the Legislature. I must say therefore that it rather shocks me to hear some members speaking in a light-hearted manner of trampling the contract under foot. I would ask members to reflect for a moment whether language of that kind is likely to enhance the reputation of this Council. Even putting the matter on the lowest ground of a common business footing, if we go trampling contracts under foot in this way, the only result will be that the name of the Bengal Government and of the Bengal Legislative Council will be a by-word in the commercial and industrial world and we shall never get any company to undertake public utility services for us. In that view of the legal position, it seems to me unnecessary to discuss the various proposals that have been put forward in these resolutions. As matters stand, the Corporation is bound by the contract until it expires in 1931. It was open to the Corporation in 1900 to make any terms they liked regarding the electrification. In effect they said to the Tramways Company: "We will allow you to carry on your business until 1931, subject to certain conditions, and to make such profits as you can under these conditions." I would therefore ask whether any case has been made out to justify us—the Legislative Council, or the Government responsible for the good name and welfare of this Presidency—in varying the conditions which were entered into in 1900, against the will of the Tramways Company. It is absolutely open to the Corporation to do what they like in 1931, on the expiry of the present contract; but, for the present, so far as the law is concerned, the Corporation are bound by the terms of the contract. I do not say that they can do nothing. I suggest that they can: they are one party to the contract and the Company the other party, and it is open to one part

to go and say to the other that a particular thing is not working satisfactorily and to suggest that it should be changed.

As regards the repairs of the roads, for instance, I do not know what the precise working arrangements are at present, but the Act of 1880 requires notice to be given to the Corporation before roads are opened up. I had a similar case to deal with the other day in connection with the Electric Supply Corporation, against whom complaints were made in the matter of opening up roads without proper notice. Mr. Payne and the Manager of the Electric Supply Corporation came to see me and discussed the matter on both sides in a friendly way and came to an arrangement which, I hope, will work well and prevent a great deal of the inconvenience which is caused by matters of that kind. I think that, in the case of the Tramways Company, it ought to be very much easier to come to reasonable working terms with the Corporation than it is in the case of the Electric Supply Corporation, because the latter as they pointed out to us, have sometimes to dig up a road in a hurry in order to put a cable right and it is necessary to open up that road at once, or the whole town or at any rate a portion of the town might be deprived of light; but in the case of the Tramways Company, they deal only with the surface of the roads and it ought to be easy for them and the Corporation officials to come to some decent working arrangements without any alteration of the law. That is only one example in which, I think matters might be improved by mutual arrangement between the Tramways Company and the Corporation.

Then, as regards the case of transfer tickets, surely if the Corporation raised such matters, the Tramways Company would at least be able to tell them what the difficulties were and whether there was any possibility of meeting them. If questions of that kind were put to the Company, I am quite certain that they would deal with them in a reasonable spirit. That then is my suggestion. The Corporation are bound by the action of the Commissioners of 1900 to adhere to the terms of this agreement until 1931, and in the meantime all they can do is to try by friendly representation to get such things as they are not pleased with put right. But, as to legislating against the will of the Tramways Company for the purpose of putting all these wholesale alterations in the statutory agreement which the resolution asks us to undertake, I am afraid Government cannot give any hopes that action will be taken on these lines.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I remember the time when this agreement between the Tramways Company and the Corporation was passed. I was then in the Corporation; so was my friend, Rai Radha Charan Pal Bahadur. I remember with what feelings of gratefulness we welcomed the establishment of electric traction in the tramway system of Calcutta. The Hon'ble Mr. Kerr was not right in

assuming that this Council is so light-hearted as to disregard all contracts. I for one consider that the contract to which I myself while in the Corporation was a party should not be so light-heartedly broken; nor do I think that the Government can, even if it wished, abrogate that contract. It is possible to say that the State can do anything it likes; for the State is above law. If we admit that proposition, we do not know where we shall land ourselves. The permanent settlement may be abrogated upon that principle. That principle I for one will not admit. Apart from the question of honour, I think it is a very bad policy. It is not wisdom to cast away the agreements of the past....But I must say that I fully sympathise with the object of Rai Radha Charan Pal Bahadur and Mr. Krishna Chandra Ray Chaudhuri, and if it were possible to do so without breach of law, I would certainly have it done. It is not so easy to have it done. In this matter the opinion of the highest legal officers of the Crown should be taken before any action be instituted, but I believe that even if we passed this resolution to-day here, and even if the Bengal Government adopted it in the form of a Bill and sent it to the Government of India, they would never give their assent. We should not make fools of ourselves in this fashion, but what I do desire to say is that the demand of Rai Radha Charan Pal Bahadur and Mr. Krishna Chandra Ray Chaudhuri seems to my mind to be a reasonable one, and the Government should co-operate with us in this matter and try to bring the matter to a satisfactory conclusion by compromise with the Tramways Company. Many things are done by simply talking the matter over. It can thus be settled. I believe if the Hon'ble Mr Kerr so desires, he can bring the Tramways Company to a reasonable frame of mind and thus settle the dispute. But I do not wish to proceed about it in a high-handed fashion to compass our object. Merely because we have got a majority of votes, we should not force the Government to do a thing which it would not be proper for it to do.

Rai RADHA CHARAN PAL Bahadur: I wish to say a few words in reply to the Hon'ble Mr. Kerr He says that the chief difficulty is the agreement that the Corporation has entered into with the Tramways Company and, according to him, my proposal cannot be accepted as it would upset that agreement.

In the first place, I desire to say that none of my proposals militate against the terms of the agreement as laid down. The most important thing—and I lay very great stress upon it—is the necessity of giving powers to the Corporation, in exceptional cases, occasions and emergencies, to take up, with the sanction of Government, the control of the tramway service from the Company as a temporary measure, so that the service may not be dislocated. The Hon'ble Member has himself admitted that this was not foreseen at the time the agreement was entered into. It is quite true. But I beg leave to submit that the insertion of this provision in the Act will not, in any way, abrogate the articles of

agreement that the Corporation have entered into with the Tramways Company. Let the agreement remain as it is. We are not going to amend it, and I do not think the Council will propose the abolition of any single clause of the agreement. But why should there not be an additional power in the hands of Government, vested in the Corporation, to take up the control and management of the tramway service in cases of emergency? Is it right and proper to declare to the public that neither the Government nor the Corporation have got any power to deal with emergencies simply because there is an agreement? Let the agreement stand as it is; I am not tampering with it. But why should we not take powers from the Legislature in order to arm ourselves with the necessary authority to take up the service temporarily with the sanction of Government? Suppose the Tramways Company is very unreasonable in some respects—I am not entering into the dispute between the Tramway employees and the Company. I have not come here to defend the employees and to arraign the Company, but what I say is this, and I speak from my own experience—suppose the deadlock continues for months and months together, say for six months, am I to understand that Government should say that there is no remedy because there is no legal provision in the agreement to deal with it and sit quiet till 1931, when the term expires? The Hon'ble Member has practically admitted that we would find ourselves in a hopeless situation. That is the principal thing, and I am voicing only the unanimous opinion of the ratepayers and the citizens of Calcutta in this matter; they are very clamant on the subject. If, under such circumstances, Government do not come to our rescue and make a provision, the charge will naturally be laid against them that because the Government is a white Government and the Company is also a white Company, Government remain apathetic and indifferent to the convenience of the people.

Regarding the provisions in the Act which I have enumerated, I may say that they are not included in the agreement. I shall be very glad and thankful to submit to the elimination of any of these items from the resolution if these are specifically entered in the agreement. Have these resolutions examined by a competent lawyer who himself deals with such matters; and if any mistake has crept into any of the proposals in the resolution by all means eliminate it; I am quite prepared to accept it.

The notes I have got from responsible and respectable quarters all go to show that the agreement can be modified according to the needs of the Legislature and public demand.

Let me again repeat that our chief desideratum is that we should get some measure of radical cure for this awful state of things. When the Tramway strike commenced, people approached the Government for a Conciliation Board, but Government, rightly or wrongly, refused to appoint one. It is Government's *badnam*, the Corporation's *badnam*, and we cannot appear in society with our faces. Our constituents accuse us of not being able to do anything. "What is the good of your going

to the Council," they say "if you cannot remedy your own grievances; why do you hanker after full self-government or *swaraj*"; and on top of it, the Hon'ble Mr. Kerr says: "We can not grant you any remedy till 1931"—which will only cause greater mortification and irritation to the people of Calcutta.

The Hon'ble Mr. KERR: I would only add just a few words to what I have already said. This matter has been before our legal advisers on several occasions, and the general gist of the opinions has been that the agreement is a part of the Act and the Act is a part of the agreement. You cannot alter one without varying the other. As a matter of fact it all depends on the contract, for the essential part of the Act and its schedules is the contract.

As to the question of what might happen if a strike went on indefinitely, I can only say that we should have to deal with the situation when it actually arose. Strikes, unfortunately, have been fairly frequent lately all over the world. Calcutta is not the only city in the world which has been so affected. Even in England and Scotland strikes in the transport services are not rare and often last much longer than they have done here in Calcutta. There have been occasions when the Government, the local municipality or the local authorities can take action to cut strikes short. Again, there are occasions when an outside authority would fail to do any good in such cases. That is the lesson which has been learnt through bitter experience in England and Scotland during the last ten years, and that, I am afraid, is the lesson we have to learn here also in India.

Babu SURENDRA NATH MALLIK: May I know whether the opinion of the legal advisers was taken before or after the passing of the Rent Act?

The Hon'ble Mr. KERR: I think after the passing of the Rent Act. Certainly my study of the question has been subsequent to the passing of the Rent Act.

The following amendment standing in the name of Mr. Krishna Chandra Ray Chaudhuri was then put and lost:—

"That in motion No. 36 the word 'and' at the end of clause (*v*) be omitted and the following further clauses be added after clause (*vi*), namely:—

(*vii*) provision for the payment of living wages to the employees of the Company;

(*viii*) provision for the establishment of provident funds for the benefit of the employees; and

(*ix*) provision for an Arbitration Board with at least two elected Commissioners of the Corporation as members of the Board, to settle all disputes regarding wages, working hours, overtime allowances, dismissal and leave."

The original motion was then put and a division was taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ali, Mr. Syed Erfan.
Chaudhuri, Babu Kisheri Mohan.
De, Babu Fanindralal.
Haq, Shah Syed Emdadul.
Husain, Maulvi Mahammed Madassur.
Karim, Maulvi Abdul.
Karim, Maulvi Fazlal.
Khan, Maulvi Hamid-ud-din.
Mallik, Babu Surendra Nath.
Mitra, Rai Mahendra Chandra Bahadur.
Pahlowan, Maulvi Md. Abdul Jubbar.
Pal, Rai Bahadur Radha Charan.
Ray Chaudhuri, Mr. Krishna Chandra.
Sarkar, Babu Rishindra Nath.

NOES.

Afzal, Nawabzada K. M. Khan Bahadur.
Ahmed, Maulvi Rafi Uddin.
Ahmed, Munshi Jafar.
Azam, Khan Bahadur Khwaja Mohamed.
Biss, Mr. E. E.
Charmakar, Babu Rasik Chandra.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Dey, Mr. C. C.
French, Mr. F. C.
Ghosey Rai Bahadur Jogendra Chunder.
Goode, Mr. S. W.
Hopkyns, Mr. W. S.
James, Mr. R. H. L. Langford.
Kerr, the Hon'ble Mr. J. H.
Lang, Mr. J.
Marr, Mr. A.
Mitter, the Hon'ble Mr. P. C.
Pugh, Colonel A. J.
Rahim, the Hon'ble Sir Abd-ur.
Robinson, Major-General, W. H. B.
Stephenson, Mr. H. L.
Swan, Mr. J. A. L.
Wheeler, the Hon'ble Sir Henry.
Williams, Mr. C. Addams.
Wordsworth, Mr. W. C.

The Ayes being 15 and the Noes 25, the motion was lost.

Bengal Government Administration.

Babu RISHINDRA NATH SARKAR: "This Council recommend to the Government that a committee, consisting of three official member and six non-official members, to be elected by the non-official member of this Council, be constituted to examine the administration of th Government of Bengal and to report within six months how the expense of administration may be retrenched, and to suggest such reforms in th administration as may add to the revenue of the Government."

I understand that Government is willing to accept the resolution i a modified form, and after I hear what the Hon'ble Member has to sa on behalf of Government, I will make my submission.

MEMBER in charge of DEPARTMENT of FINANCE (th Hon'ble Mr. Kerr): At this late hour I must be very brief. I ha been discussing the matter with the members who have moved simil resolutions and suggested a way which I think they are inclined accept. The last resolution on this subject was moved by Babu Surend Nath Mallik at a meeting of this Council on the 9th February and I then asked the Government not to be obstructive. In reply, I said th Government had no intention of obstructing, or hiding any facts fro

the members of the Council, that it would be very foolish for us to be obstructive in view of the fact that the Council has large powers of control over expenditure. I then objected to a general retrenchment committee, as suggested here, on the ground that it would never be able to arrive at a conclusion within a reasonable time. I think my objection still holds good. You must tackle this question of retrenchment by compartments. I have suggested to the members who have given notice of these resolutions that the inquiries which they desire could most efficiently be carried out by the standing committees. The standing committees will in any case have an opportunity of seeing the budget under the existing rules. I am authorised to say that His Excellency the Governor, with the concurrence of Members and Ministers, is willing, in this instance as a special case, to modify the rules which lay down that the proceedings of the standing committees are confidential. We propose in the next month to place the departmental budgets before the standing committees. The members will be able to call for explanations and information, and then embody their views as to the possibility of retrenchment in a memorandum. That memorandum will be laid before the Council with the views of the Member or Minister in charge of the department. We propose to except one department, namely, the police. As the Council well knows, a special retrenchment committee is already sitting on this department and it would obviously be undesirable for two bodies of this nature to conduct inquiries covering the same ground. We propose therefore to follow the course I have mentioned in all the departments except the police, and I trust the Council will agree that this is the most satisfactory way of carrying out the wishes of those members who are in favour of an inquiry into the possibilities of retrenchment.

Babu RISHINDRA NATH SARKAR: In view of the suggestions made by the Hon'ble Member, I beg to withdraw my resolution in place of the amended one that has been proposed by him.

The Hon'ble Mr. KERR: I did not propose any amended resolution. I simply gave an assurance on behalf of Government.

Babu RISHINDRA NATH SARKAR: I beg to withdraw the resolution on the assurance given by the Hon'ble Member.

The following resolution was then, by leave of the Council, wtihdrawn:—

"This Council recommends to the Government that a committee, consisting of three official members and six non-official members, to be elected by the non-official members of this Council, be constituted to examine the administration of the Government of Bengal and to report within six months how the expenses of administration may be retrenched